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LEGISLATIVE HISTORY

Public Law 87-412

H. R. 9013

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## INDEX AND SUMMARY OF H. R. 9013

Aug. 31, 1961	Rep. Thompson, Tex., introduced H. R. 9013 which was referred to the House Agriculture Committee. Print of bill as introduced.
Sept. 7, 1961	House committee reported H. R. 9013 without amendment. H. Report No. 1150. Print of bill and report.
Sept. 18, 1961	House passed H. R. 9013 without amendment.
Sept. 19, 1961	H. R. 9013 was referred to the Senate Agriculture and Forestry Committee. Print of bill as referred.
Feb. 7, 1962	Senate committee voted to report (but did not actually report) H. R. 9013 without amendment.
Feb. 8, 1962	Senate committee reported H. R. 9013 without amendment. S. Report No. 1207. Print of bill and report.
Feb. 20, 1962	Senate passed H. R. 9013 without amendment.
Mar. 6, 1962	Approved: Public Law 87-412.



## DIGEST OF PUBLIC LAW 87-412

TRANSFER OF RICE ACREAGE ALLOTMENTS. Amends section 353 of the Agricultural Adjustment Act of 1938, as amended, so as to provide for the transfer of rice acreage history where the producer withdraws from the production of rice. Permits the transfer of personal rice history in those instances where the producer either dies, withdraws in whole or in part from rice production in favor of a member of his family, permanently withdraws from rice production by the sale of all rice producing equipment together with any land owned by the producer to which any of his rice history acreage may be ascribed, or is involved in the dissolution of a partnership.









87TH CONGRESS  
1ST SESSION

# H. R. 9013

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 31, 1961

Mr. THOMPSON of Texas introduced the following bill; which was referred to the Committee on Agriculture

---

## A BILL

To provide for the transfer of rice acreage history where producer withdraws from the production of rice.

1       *Be it enacted by the Senate and House of Representa-*  
2   *tives of the United States of America in Congress assembled,*  
3   That section 353 of the Agricultural Adjustment Act of  
4   1938, as amended (7 U.S.C. 1353), be amended by adding  
5   at the end thereof a new subsection (f) to read as follows:  
6       “(f) (1) If a producer in a State in which farm rice  
7   acreage allotments are determined on the basis of past  
8   production of rice by the producer on the farm, dies, his  
9   history of rice production shall be apportioned in whole or  
10   in part among his heirs or devisees according to the extent  
11   to which they may continue, or have continued, his farming

1 operations, if satisfactory proof of such succession of farming  
2 operations is furnished the Secretary.

3 “(2) If a producer in a State in which farm rice acreage  
4 allotments are determined on the basis of past production of  
5 rice by the producer on the farm withdraws in whole or in  
6 part from rice production in favor of a member or members  
7 of his family who will succeed to his farming operations that  
8 portion of his rice history acreage as may be ascribed to such  
9 withdrawal may be transferred to such family member or  
10 members, as the case may be, if satisfactory proof of such  
11 relationship and succession of farming operations by such  
12 family member or members is furnished the Secretary.

13 “(3) If a producer in a State in which farm rice acreage  
14 allotments are determined on the basis of past production of  
15 rice by the producer on the farm permanently withdraws  
16 from rice production, his rice history acreage may be trans-  
17 ferred to another producer or producers who have had previ-  
18 ous rice-producing experience, provided the following condi-  
19 tions are met: (i) The transferee must acquire the entire  
20 farming operation pertaining to rice, including all produc-  
21 tion and harvesting equipment, any irrigation equipment  
22 not permanently attached to the land, and any land owned by  
23 the transferor to which any of the transferred rice history  
24 acreage may be ascribed; and (ii) the transferee must  
25 actually plant at least 90 per centum of his total producer

1 rice acreage allotment, including the allotment determined  
2 on the basis of the rice history acreage acquired from the  
3 transferor for at least three out of the next four years fol-  
4 lowing the transfer. Failure by the transferee to comply  
5 with condition (ii) above shall result in cancellation of the  
6 transfer of the rice history acreage. The transferor of rice  
7 acreage history under this subsection shall not be eligible for a  
8 producer rice acreage allotment for any year subsequent to  
9 such transfer, except to the extent that such allotment may  
10 be based on rice history acquired in a year (subsequent to  
11 the transfer) for which rice acreage allotments are not in  
12 effect.

13 “(4) Upon dissolution of a partnership in a State in  
14 which farm rice acreage allotments are determined on the  
15 basis of past production of rice by the producer on the farm,  
16 the partnership’s history of rice production shall be divided  
17 among the partners in such proportion as agreed upon in  
18 writing by the partners: *Provided*, That if a partnership was  
19 formed in a year in which allotments were in effect and is  
20 dissolved in less than three consecutive crop years after the  
21 partnership became effective, the rice acreage allotment  
22 established for the partnership and rice history acreages  
23 credited to the partnership for each of the years during its  
24 existence shall be divided among the partners in the same  
25 proportion that each partner contributed to the allotment

1 established for the partnership at the time such partnership  
2 was formed. The rice history acreage credited to each of  
3 the partners for the years prior to the time the partnership  
4 was formed shall revert to the person to whom it was origi-  
5 nally credited.”

87TH CONGRESS  
1ST SESSION

H. R. 9013

## A BILL

To provide for the transfer of rice acreage history where producer withdraws from the production of rice.

By Mr. THOMPSON of Texas

AUGUST 31, 1961

Referred to the Committee on Agriculture







Sept. 7, 1961

11. PASSED OVER the following bills:

H. R. 6775, to provide for the operation of steamship conferences.  
p. 17305

H. R. 6141, to limit to cases involving the national security the prohibition on payment of retirement annuities to retired Federal employees.  
p. 17305

S. 1633, to provide for the establishment of a Department of Urban Affairs and Housing. p. 17309

12. LEGISLATIVE PROGRAM. Sen. Mansfield stated that S. 2180, to establish a U. S. Disarmament Agency for World Peace and Security, will be considered next, followed by consideration of the Mexican farm labor bill. p. 17414

HOUSE

13. APPROPRIATIONS. Received the conference report on H. R. 7035, the Labor-HEW appropriation bill (H. Rept. 1154) (pp. 17429-31). The bill includes \$20,250,000 for the Office of Vocational Rehabilitation.

Conferees were granted until midnight Fri., Sept. 8, to file a conference report on H. R. 8302, the military construction appropriation bill. p. 17493

14. RICE. The Agriculture Committee reported without amendment H. R. 9013, to provide for the transfer of rice acreage history where a producer withdraws from the production of rice (H. Rept. 1150). p. 17495

15. CONSERVATION. The Agriculture Committee reported with amendments H. R. 8914, to permit producers on farms on which summer fallow is a normal practice to plant barley on land devoted to summer fallow during 1961 which is diverted from wheat under the 1962 Wheat Stabilization Program provided an overall reduction of 20% is made in corn, grain sorghums, and barley (H. Rept. 1149).  
p. 17495

16. WHEAT. The Agriculture Committee reported with amendments H. R. 8842, to permit a wheat producer to withdraw from his stored excess the amount of wheat by which he fails to make his normal production on the reduced acreage allotment, less the acres voluntarily retired below the allotment (H. Rept. 1148).  
p. 17495

17. SUPERGRADES. The Post Office and Civil Service Committee voted to report (but did not actually report) with amendments H. R. 7377, to increase the limitation on the number of supergrades, and on the number of research and development positions of scientists and engineers for which special rates of pay are authorized (p. D825). The committee was granted until midnight Thurs., Sept. 7, to file a report on this bill (p. 17423).

18. WATERFOWL. Disagreed to the Senate amendments and conferees were appointed on H. R. 7391, to promote the conservation of migratory waterfowl by the acquisition of wetlands and other essential waterfowl habitat. p. 17426

19. POSTAL RATES. The Post Office and Civil Service Committee reported with amendment H. R. 7927, to adjust postal rates (H. Rept. 1155). p. 17495



20. PERSONNEL. The Post Office and Civil Service Committee ordered favorably reported H. R. 8565, to permit certain Government employees to elect to receive compensation in accordance with section 401 of the Federal Employees Pay Act of 1945, in lieu of certain compensation at a saved rate. pp. D824-5
21. FOREIGN TRADE. The Post Office and Civil Service Committee ordered favorably reported H. R. 7791, to provide for the collection and publication of foreign commerce and trade statistics. p. D825
- Passed as reported H. R. 7692, to amend section 304 of the Tariff Act to provide that when articles, which are imported in containers that are now required to be marked to show in English the name of the country of origin of such articles, are repackaged in the U. S. and offered for sale, the new packages shall be marked to show the country from which the materials originally came. pp. 17427-9
- Agreed to without amendment H. Res. 403, to create a select committee to conduct an investigation and study of the administration, operation, and enforcement of the Export Control Act of 1949. pp. 17433-45
22. TRANSPORTATION. Agreed to the Senate amendment to H. R. 6732, to amend the Merchant Marine Act, 1936, as amended, to encourage the construction and maintenance of American-flag vessels built in American shipyards. This bill will now be sent to the President. p. 17446
23. PEACE CORPS. Rep. Dorn stated that the proposal to establish a Peace Corps is wrought with potential danger to U. S. prestige by sending inadequately trained and indoctrinated personnel into foreign countries. pp. 17446-7
- The Rules Committee reported a resolution for consideration of H. R. 7500, to provide for a Peace Corps to help the peoples of interested countries and areas in meeting their needs for skilled manpower. p. 17495
24. ELECTRIFICATION. Rep. Saylor criticized what he termed "an unholy alliance between the fanatical public power zealots and the Bureau of Reclamation who are using the reclamation program for the promotion of subsidized Government power." pp. 17450-7
- Rep. Ashbrook said the Government's "getting deeper" into the electric power business is a "serious and dangerous trend which can and must be reversed." pp. 17461-3
25. LEGISLATIVE PROGRAM. Rep. Albert announced that the Labor-HEW and the military construction appropriations conference reports will be considered on Monday; the public works appropriation bill on Tuesday; the conference report on Atomic Energy Commission appropriations authorization, the Peace Corps bill, H. R. 6360, relating to an additional Assistant Secretary of Commerce, and the supplemental appropriation bill for 1962, on Wednesday and the balance of the week. pp. 17481-2
26. ADJOURNED until noon Monday, September 11.

#### ITEMS IN APPENDIX

27. FARM PROGRAM. Extension of remarks of Sen. Wiley inserting an article in which a Wisc. dairyman reports on a tour of farm areas in Soviet countries. pp. A7035-6
- Extension of remarks of Rep. Alexander inserting Under Secretary Murphy's address before the annual meeting of the North Carolina Feeder Manufacturers Association, Virginia Beach, Va. pp. A7061-3

## RICE ACREAGE ALLOTMENTS

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SEPTEMBER 7, 1961.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. COOLEY, from the Committee on Agriculture, submitted the following

### R E P O R T

[To accompany H.R. 9013]

The Committee on Agriculture, to whom was referred the bill (H.R. 9013) to provide for the transfer of rice acreage history where producer withdraws from the production of rice, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

#### PURPOSE

The purpose of this bill is to give expressed statutory effect to the succession of interest provisions which for several years have been included in the Department of Agriculture's regulations governing the establishment of farm rice acreage allotments in States and administrative areas in which such allotments are determined on the basis of past production of rice by the producer on the farm.

#### NEED FOR THE LEGISLATION

Although the law permits rice acreage allotments to be made on a personal rice acreage history basis, and allotments are now so made in some rice producing areas (notably California, Texas, and parts of Louisiana) there has been no specific statutory directive as to the procedures for handling such allotments. These procedures have been developed by the Secretary under his general authority to make regulations carrying the law in effect and, in general, the bill herewith presented merely enacts these regulations into the law. It is to be noted that the bill does not affect the rights of a rice producer to dispose of his riceland and equipment as he may see fit, but merely authorizes the Secretary to transfer rice acreage history along with the land and equipment under certain circumstances.



## COST

There would not be any additional cost to the Government as the result of the enactment of this legislation.

## HEARINGS

Hearings were held on a similar bill (H.R. 3689) which was slightly amended in accordance with testimony presented at the hearings and this clean bill (H.R. 9013) was introduced and is reported herewith. The substance of the two bills is the same.

## DEPARTMENTAL APPROVAL

Following is the letter from the Department of Agriculture approving H.R. 3689 and recommending its enactment. The Department has also informed the committee that it favors the enactment of H.R. 9013 for the same reasons set out in its previous report.

MAY 11, 1961.

HON. HAROLD D. COOLEY,  
*Chairman, Committee on Agriculture,*  
*House of Representatives.*

DEAR CONGRESSMAN COOLEY: This is in reply to your request of March 30, 1961, for a report on H.R. 3689, a bill to provide for the transfer of rice acreage history where producer withdraws from the production of rice.

This Department recommends the enactment of this bill.

H.R. 3689 would amend section 353 of the Agricultural Adjustment Act of 1938, as amended, to provide for the transfer of rice acreage history in a State or administrative area in which farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm in those instances where (1) the producer dies or is declared incompetent by a court of competent jurisdiction, (2) the producer withdraws in whole or in part from rice production in favor of a son, son-in-law, grandson, or nephew, (3) the producer permanently withdraws from rice production, or (4) a partnership is dissolved.

The purpose of this bill is to give expressed statutory effect to the succession of interest provisions which for several years have been included in the Secretary's regulations governing the establishment of farm rice acreage allotments in States and administrative areas in which such allotments are determined on the basis of past production of rice by the producer on the farm. Except for the provisions which would permit a producer to transfer a part or all of his rice acreage history to a son, son-in-law, grandson, or nephew, and a slight change in the language of the provision pertaining to a producer who permanently withdraws from rice production, the provisions of this bill are essentially the same as those currently contained in the Secretary's regulations and for all practical purposes, will accomplish the same objective.

Since the sale of rice land in States in which farm rice acreage allotments are determined on the basis of past production of rice on the farm carries with it the rice acreage history of the farm, it is considered both appropriate and desirable that in States in which

farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm the transfer of personal rice history be permitted in those cases where the producer either dies or is declared incompetent, withdraws in whole or in part from rice production in favor of a close heir, permanently withdraws from rice production by the sale of all rice producing equipment together with any land owned by the producer to which any of such rice acreage may be ascribed, or is involved in the dissolution of a partnership. No express statutory provision relating to the transfer of personal rice acreage history now exists in the law.

Attention is directed to an error in the wording of this bill which appears on line 4 of page 3 of the printed bill. The third word from the end of the line should be "transferor" instead of "transfer".

In order to clarify certain terms as used in paragraph 3 of this bill, we desire to submit for the record our interpretation of the following terms:

1. "Producers who have had previous rice-producing experience." A producer shall be considered to have had previous rice-producing experience only if he has actually participated in producing, harvesting, and marketing of one or more crops of rice and shared in the crop or proceeds therefrom as landlord, tenant, or sharecropper.

2. "Land owned by the transferor to which any of the transferred rice history acreage may be ascribed." Rice history acreage shall be considered as ascribed to land to the extent that any rice has been produced on such land during any one or more of the years in the applicable base period used in establishing the rice acreage allotment for the crop then current at the time of acquisition by the transferee.

The enactment of this bill will not require the expenditure of any additional funds.

The Bureau of the Budget advises that, from the standpoint of the President's program, there is no objection to the submission of this report.

Sincerely yours,

ORVILLE L. FREEMAN.

#### CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, and existing law in which no change is proposed is shown in roman):

#### AGRICULTURAL ADJUSTMENT ACT OF 1938, AS AMENDED

\* \* \* \* \*

#### APPORTIONMENT OF NATIONAL ACREAGE ALLOTMENT

SEC. 353. (a) The national acreage allotment of rice for each calendar year, less a reserve of not to exceed 1 per centum thereof for apportionment by the Secretary as provided in this subsection, shall be apportioned by the Secretary among the several States in which rice is produced in proportion to the average number of acres of rice in each State during the five-year period immediately preceding the

calendar year for which such national acreage allotment of rice is determined (plus, in applicable years, the acreage diverted under previous agricultural adjustment and conservation programs) with adjustments for trends in acreage during the applicable period. The Secretary shall provide for the apportionment of the reserve acreage set aside pursuant to this subsection to farms receiving allotments which are inadequate because of an insufficient State or county acreage allotment or because rice was not planted on the farm during all of the preceding five years. Notwithstanding the foregoing provisions of this subsection, the reserve acreage set aside for the 1950 crop pursuant to this subsection shall not exceed one-half of 1 per centum and shall be in addition to the 1950 national acreage allotment as heretofore proclaimed by the Secretary and apportioned by him among the several rice-producing States and shall be available for apportionment to new farms without regard to the limitation contained in subsection (b) of this section.

(b) The State acreage allotment shall be apportioned to farms owned or operated by persons who have produced rice in the State in any one of the five calendar years immediately preceding the year for which such apportionment is made on the basis of past production of rice in the State by the producer on the farm taking into consideration the acreage allotments previously established in the State for such owners or operators; abnormal conditions affecting acreage; land, labor, and equipment available for the production of rice; crop rotation practices; and the soil and other physical factors affecting the production of rice: *Provided*, That if the State committee recommends such action and the Secretary determines that such action will facilitate the effective administration of the Act, he may provide for the apportionment of part or all of the State acreage allotment to farms on which rice has been produced during any one of such period of years on the basis of the foregoing factors, using past production of rice on the farm and the acreage allotments previously established for the farm in lieu of past production of rice by the producer and the acreage allotments previously established for such owners or operators. Not more than 3 per centum of the State acreage allotment shall be apportioned among farms operated by persons who will produce rice in the State during the calendar year for which the allotment is made but who have not produced rice in the State in any one of the past five years, on the basis of the applicable apportionment factors set forth herein: *Provided further*, That if the Secretary determines that part of the State acreage allotment shall be apportioned on the basis of past production of rice by the producer on the farm and part on the basis of the past production of rice on the farm, he shall divide the State into two administrative areas, to be designated "producer administrative area" and "farm administrative area", respectively, which areas shall be separated by a natural barrier which would prevent each area from being readily accessible to rice producers in one area for producing rice in the other area, and each such area shall be composed of whole counties: *Provided*, That in any State in which allotments are established for farms on the basis of past production of rice on the farm such percentage of the State acreage allotment shall be apportioned among the farms on which rice is to be planted during the calendar year for which the apportionment is made but on which rice was not planted during any of the past five years, on the basis



of the applicable apportionment factors set forth herein. In determining the eligibility of any producer or farm for an allotment as an old producer or farm under the first sentence of this subsection or as a new producer or farm under the second sentence of this subsection, such producer or farm shall not be considered to have produced rice on any acreage which under subsection (c)(2) is either not to be taken into account in establishing acreage allotments or is not to be credited to such producer. For purposes of this section in States which have been divided into administrative areas pursuant to this subsection the term "State acreage allotment" shall be deemed to mean that part of the State acreage allotment apportioned to each administrative area and the word "State" shall be deemed to mean "administrative area," wherever applicable.

(e) Notwithstanding any other provisions of this Act—

(1) If farm acreage allotments are established by using past production of rice on the farm and the acreage allotments previously established for the farm in lieu of past production of rice by the producer and the acreage allotments previously established for owners or operators, the State acreage allotment shall be apportioned among counties in the State on the same basis as the national acreage allotment is apportioned among the States and the county acreage allotments shall be apportioned to farms on the basis of the applicable factors set forth in subsection (b) of this section: *Provided*, That if the State is divided into administrative areas pursuant to subsection (b) of this section the allotment for each administrative area shall be determined by apportioning the State acreage allotment among counties as provided in this subsection and totaling the allotments for the counties in such area: *Provided*, That the State committee may reserve not to exceed 5 per centum of the State allotment, which shall be used to make adjustments in county allotments for trends in acreage and for abnormal conditions affecting plantings;

(2) Any acreage planted to rice in excess of the farm acreage allotment shall not be taken into account in establishing State, county, and farm acreage allotments.

In determining the past production of rice by producers on a farm for the purpose of establishing farm acreage allotments for the 1956 and subsequent crops, the acreage of rice on the farm for any year for which farm acreage allotments were in effect shall be divided among the producers thereon in the proportion in which they contributed to the farm acreage allotment.

(3) Each of the State acreage allotments for 1955 heretofore proclaimed by the Secretary shall be increased by 2 per centum or by such greater acreage as may be necessary to provide such State with an allotment equal to its 1950 allotment. In any State having county acreage allotments for 1955 (i) the increase in the State allotment shall be apportioned among counties in the State on the same basis as the State allotment was heretofore apportioned among the counties, but without regard to adjustments for trends in acreage, and (ii) the 1955 allotment for any county in which the 1950-1954 average planted plus diverted acreage of rice, adjusted for trends in acreage, exceeds the 1945-1949 average planted acreage of rice, similarly adjusted,

by more than 2 per centum shall then be further increased by such additional acreage as may be necessary to provide such county with an allotment equal to its 1950 allotment. The increases in the county acreage allotments and the increases in the State allotments, where county allotments are not determined, shall be used to establish farm acreage allotments which are fair and reasonable in relation to the applicable allotment factors specified in subsection (b) of this section and to correct inequities and prevent hardships.

(4) The reserve acreage made available for 1955 in any State for apportionment to farms operated by persons who have not produced rice during the preceding five years or on which rice has not been planted in the preceding five years shall not be less than five hundred acres; and the additional acreage necessary to provide such minimum reserve acreages shall be in addition to the National and State acreage allotments.

(5) Each of the State acreage allotments for 1956 heretofore proclaimed by the Secretary, after adding thereto any acreage apportioned to farms in the State from the reserve acreage set aside pursuant to subsection (a) of this section, shall be increased by such amount as may be necessary to provide such State with an allotment of not less than 85 per centum of its final allotment established for 1955. Any additional acreage required to provide such minimum allotment shall be additional to the national acreage allotment. In any State having county acreage allotments for 1956, the increase in the State allotment shall be apportioned among counties in the State on the same basis as the State allotment was heretofore apportioned among the counties, but without regard to adjustments for trends in acreage.

(6) The national acreage allotments of rice for 1957 and subsequent years shall be not less than the national acreage allotment for 1956, including any acreage allotted under paragraph (5) of this subsection, and such national allotments for *1957 and subsequent years* shall be apportioned among the States in the same proportion that they shared in the total acreage allotted in 1956.

(d) The provisions of this part shall not apply to nonirrigated rice produced on any farm on which the acreage planted to nonirrigated rice does not exceed three acres or to rice produced outside the continental United States.

(e) Any part of the farm rice acreage allotment on which rice will not be planted and which is voluntarily surrendered to the county committee shall be deducted from the allotment to such farm and may be reapportioned by the county committee to other farms in the same county receiving allotments in amounts determined by the county committee to be fair and reasonable on the basis of the past production of rice by the producers on the farm or the past production of rice on the farm, as the case may be; acreage allotments previously established for the farm or for the producers on the farm, as the case may be; abnormal conditions affecting acreage; land, labor, water, and equipment available for the production of rice; crop-rotation practices; and the soil and other physical factors affecting the production of rice. Any allotment surrendered under this provision shall be re-



garded for the purposes of subsection (b) of this section as having been planted on the farm from which surrendered, except that this shall not operate to make the farm from which the allotment was surrendered eligible for an allotment as having rice planted thereon, or to make any producer thereon eligible for an allotment as having produced rice, during the five-year base period.

(f)(1) *If a producer in a State in which farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm, dies, his history of rice production shall be apportioned in whole or in part among his heirs or devisees according to the extent to which they may continue, or have continued, his farming operations, if satisfactory proof of such succession of farming operations is furnished the Secretary.*

(2) *If a producer in a State in which farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm withdraws in whole or in part from rice production in favor of a member or members of his family who will succeed to his farming operations that portion of his rice history acreage as may be ascribed to such withdrawal may be transferred to such family member or members, as the case may be, if satisfactory proof of such relationship and succession of farming operations by such family member or members is furnished the Secretary.*

(3) *If a producer in a State in which farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm permanently withdraws from rice production, his rice history acreage may be transferred to another producer or producers who have had previous rice-producing experience, provided the following conditions are met: (i) The transferee must acquire the entire farming operation pertaining to rice, including all production and harvesting equipment, any irrigation equipment not permanently attached to the land, and any land owned by the transferor to which any of the transferred rice history acreage may be ascribed; and (ii) the transferee must actually plant at least 90 per centum of his total producer rice acreage allotment, including the allotment determined on the basis of the rice history acreage acquired from the transferor for at least three out of the next four years following the transfer. Failure by the transferee to comply with condition (ii) above shall result in cancellation of the transfer of the rice history acreage. The transferor of rice acreage history under this subsection shall not be eligible for a producer rice acreage allotment for any year subsequent to such transfer, except to the extent that such allotment may be based on rice history acquired in a year (subsequent to the transfer) for which rice acreage allotments are not in effect.*

(4) *Upon dissolution of a partnership in a State in which farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm, the partnership's history of rice production shall be divided among the partners in such proportion as agreed upon in writing by the partners: Provided, That if a partnership was formed in a year in which allotments were in effect and is dissolved in less than three consecutive crop years after the partnership became effective, the rice acreage allotment established for the partnership and rice history acreages credited to the partnership for each of the years during its existence shall be divided among the partners in the same proportion that each partner contributed to the allotment established for the partnership at the time such partnership was formed. The rice history acreage credited to each of the partners for the years prior to the time the partnership was formed shall revert to the person to whom it was originally credited.*



87TH CONGRESS  
1ST SESSION

# H. R. 9013

[Report No. 1150]

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 31, 1961

Mr. THOMPSON of Texas introduced the following bill; which was referred to the Committee on Agriculture

SEPTEMBER 7, 1961

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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8       production of rice by the producer on the farm, dies, his  
9       history of rice production shall be apportioned in whole or  
10      in part among his heirs or devisees according to the extent  
11      to which they may continue, or have continued, his farming

1 operations, if satisfactory proof of such succession of farming  
2 operations is furnished the Secretary.

3 “(2) If a producer in a State in which farm rice acreage  
4 allotments are determined on the basis of past production of  
5 rice by the producer on the farm withdraws in whole or in  
6 part from rice production in favor of a member or members  
7 of his family who will succeed to his farming operations that  
8 portion of his rice history acreage as may be ascribed to such  
9 withdrawal may be transferred to such family member or  
10 members, as the case may be, if satisfactory proof of such  
11 relationship and succession of farming operations by such  
12 family member or members is furnished the Secretary.

13 “(3) If a producer in a State in which farm rice acreage  
14 allotments are determined on the basis of past production of  
15 rice by the producer on the farm permanently withdraws  
16 from rice production, his rice history acreage may be trans-  
17 ferred to another producer or producers who have had previ-  
18 ous rice-producing experience, provided the following condi-  
19 tions are met: (i) The transferee must acquire the entire  
20 farming operation pertaining to rice, including all produc-  
21 tion and harvesting equipment, any irrigation equipment  
22 not permanently attached to the land, and any land owned by  
23 the transferor to which any of the transferred rice history  
24 acreage may be ascribed; and (ii) the transferee must  
25 actually plant at least 90 per centum of his total producer



1 rice acreage allotment, including the allotment determined  
2 on the basis of the rice history acreage acquired from the  
3 transferor for at least three out of the next four years fol-  
4 lowing the transfer. Failure by the transferee to comply  
5 with condition (ii) above shall result in cancellation of the  
6 transfer of the rice history acreage. The transferor of rice  
7 acreage history under this subsection shall not be eligible for a  
8 producer rice acreage allotment for any year subsequent to  
9 such transfer, except to the extent that such allotment may  
10 be based on rice history acquired in a year (subsequent to  
11 the transfer) for which rice acreage allotments are not in  
12 effect.

13 “(4) Upon dissolution of a partnership in a State in  
14 which farm rice acreage allotments are determined on the  
15 basis of past production of rice by the producer on the farm,  
16 the partnership’s history of rice production shall be divided  
17 among the partners in such proportion as agreed upon in  
18 writing by the partners: *Provided*, That if a partnership was  
19 formed in a year in which allotments were in effect and is  
20 dissolved in less than three consecutive crop years after the  
21 partnership became effective, the rice acreage allotment  
22 established for the partnership and rice history acreages  
23 credited to the partnership for each of the years during its  
24 existence shall be divided among the partners in the same  
25 proportion that each partner contributed to the allotment

1 established for the partnership at the time such partnership  
 2 was formed. The rice history acreage credited to each of  
 3 the partners for the years prior to the time the partnership  
 4 was formed shall revert to the person to whom it was origi-  
 5 nally credited.”

Union Calendar No. 496

87<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**H. R. 9013**

[Report No. 1150]

## **A BILL**

To provide for the transfer of rice acreage history where producer withdraws from the production of rice.

By Mr. THOMPSON of Texas

AUGUST 31, 1961

Referred to the Committee on Agriculture

SEPTEMBER 7, 1961

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed







# Digest of CONGRESSIONAL PROCEEDINGS

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF  
BUDGET AND FINANCE  
(For information only;  
should not be quoted  
or cited)

Issued September 19, 1961  
For actions of September 18, 1961  
87th-1st, No. 164

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**HIGHLIGHTS:** House passed bills to: Permit wheat producers to withdraw from stored excess for under-production; exempt durum wheat in certain California counties from allotments and quotas; provide additional supergrades; clarify and simplify operations of Farm Credit agencies. House rejected bill to permit farms on which summer fallow is practiced to participate in feed grains program. Rep. Elliott introduced and discussed poultry bill.

### HOUSE

- 1. WHEAT.** Passed as reported S. 1107, to continue to exempt the production of durum wheat in portions of Modoc and Siskiyou Counties, Calif. (Tulelake area), from acreage allotments and marketing quota restrictions. p. 18824  
Passed as reported H. R. 8842, to amend the Agricultural Act of 1961 so as to permit a wheat producer to withdraw from his stored excess the amount of wheat by which he fails to make his normal production on the reduced acreage allotment, less the acres voluntarily retired below the allotment. p. 18826
- 2. FARM LOANS.** Passed as reported S. 1040, to abolish the Federal Farm Mortgage Corporation. pp. 18823-4  
Passed without amendment S. 1927, to make a number of amendments to simplify and clarify the operations of institutions supervised by FCA. This bill will now be sent to the President. p. 18904
- 3. POULTRY.** Passed as reported H. R. 7866, to extend the Poultry Products Inspection Act to Puerto Rico and the Virgin Islands. p. 18823

4. RICE. Passed without amendment H. R. 9013, to provide for the transfer of rice acreage history where a producer withdraws from the production of rice. pp. 18826-7

\*

5. FEED GRAINS. By a vote of 213 to 149, defeated a motion to pass under suspension of the rules H. R. 8914, to permit producers on farms on which summer fallow is a normal practice to plant barley on land devoted to summer fallow during 1961 which is diverted from wheat under the 1962 Wheat Stabilization Program provided an overall reduction of 20% is made in corn, grain sorghums, and barley. pp. 18826-18855-61
6. SUPERGRADES. By a vote of 305 to 53, passed under suspension of the rules H. R. 7377, to increase the limitation on the number of supergrades, and on the number of research and development positions of scientists and engineers for which special rates of pay are authorized. pp. 18861-5, 18865-70
7. PEACE CORPS. Conferees were appointed on H. R. 7500, to provide for a Peace Corps. pp. 18817-8  
The "Daily Digest" states that "Conferees, in executive session, agreed to file a conference report on the differences between the Senate- and House-passed versions of H. R. 7500, providing for the establishment of a Peace Corps." p. D871
8. EDUCATION. Passed without amendment H. R. 9053, to amend the National Defense Education Act to provide that loans made under title II will be made for the academic year rather than the fiscal year. p. 18826  
By a vote of 342 to 18, passed under suspension of the rules (in lieu of H. R. 8900) S. 2393, to extend for 2 years the authority for Federal assistance for the construction and operation of schools in federally impacted areas and the National Defense Education Act. pp. 18831-4
9. APPROPRIATIONS. Received the conference report on H. R. 8302, the military construction appropriation bill (H. Rept. 1201). pp. 18850-1
10. WATERSHEDS. Passed as reported H. R. 3801, to authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water. pp. 18818-20
11. RECREATION. Passed as reported H. R. 4934, to authorize the Secretary of Agriculture to modify certain leases entered into for the provisions of recreation facilities in reservoir areas. p. 18904
12. PURCHASING. Passed without amendment H. R. 8741, to grant to all Federal agencies the authority to waive performance and payment bonds otherwise required under the Miller Act with respect to cost-plus-a-fixed fee and cost-type contracts for the construction, alteration, or repair of building or public works and with supply contracts. p. 18830
13. FOREIGN AID. Passed without amendment H. R. 7791, to provide for the collection and publication of foreign commerce and trade statistics. pp. 18827-8
14. PERSONNEL. Passed without amendment H. R. 8565, to amend Public Law 763, 83d. Congress, so as to permit firefighters to voluntarily elect to be paid at the

\*Although a majority voted for the bill, a two-thirds majority is necessary under a motion to suspend.



### DISCLAIM INTEREST IN CERTAIN RIGHTS IN LANDS IN NEVADA

The Clerk called the bill (S. 2272) to disclaim interest in certain rights in certain lands in the State of Nevada.

There being no objection the Clerk read the bill as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States hereby disclaims any interest in lands which it may have, prior to the date of approval of this Act, acquired by virtue of chapter 103 Stat., Nevada 1887, or by any revisions and reenactment thereof.*

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

### ANNUAL AUDIT OF BRIDGE COMMISSIONS

The Clerk called the bill (H.R. 8921) to provide for the annual audit of bridge commissions and authorities created by act of Congress, for the filling of vacancies in the membership thereof, and for other purposes.

Mr. ROGERS of Colorado. Mr. Speaker, reserving the right to object, I am wondering if this legislation would provide for the Congress to make an annual audit of the Port Authority of New York.

Mr. DENTON. The bill was drawn so as to specifically exempt the New York Port Authority.

Mr. ROGERS of Colorado. The title reads "to provide for the annual audit of bridge commissions and authorities created by act of Congress for the filling of vacancies in the membership thereof, and for other purposes." It is the contention of many that any compact entered into by various States constitutes a creation by Congress.

Mr. DENTON. As I say, this bill is specifically limited to these five commissions.

Mr. ROGERS of Colorado. Mr. Speaker, I withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) each bridge commission and authority created by Act of Congress shall provide for an annual audit of its financial transactions by an independent public accountant of recognized standing in such manner as prescribed by the Governors of the States concerned and in accordance with generally accepted auditing standards. Each such commission and authority shall make available for such purposes all books, accounts, financial records, reports, files, and all other papers, documents, or property belonging to or in use by such commission or authority. The General Accounting Office is authorized and directed to make available its advice on any matter pertaining to an audit performed pursuant to this section.*

(b) The commission or authority within four months following the close of the fiscal year for which the audit is made shall submit a copy of the audit report to the Governors of the States concerned and to the Secretary of Commerce. The report shall set forth the scope of the audit and shall

include a statement of assets and liabilities, capital, and surplus or deficits; a statement of surplus or deficit analysis, a statement of income and expense; a statement of sources and application of funds; and such comments and information as may be deemed necessary to keep the Governor of the States concerned and the Secretary of Commerce informed of the operations and financial condition of the commission.

(c) The Governor of either State concerned or the Secretary of Commerce is authorized to provide for the conduct of further audits of any bridge commission or authority created by Act of Congress if the audit report submitted under subsection (b) is not satisfactory to said Governor or to the Secretary of Commerce, respectively.

(d) The commission or authority shall bear all expenses of the annual audit of its financial transactions as required by this section. All expenses of any additional audit required under this section shall be paid by the official or agency requesting such additional audit.

SEC. 2. (a) Each person who is a member, on the date of enactment of this Act, of a bridge commission or authority created by Act of Congress shall continue in office until the expiration of his present term, except as provided under subsection (b) of this section.

(b) (1) Except as provided in paragraph (2) of this subsection, where provision is made in the Act creating a bridge commission or authority for membership thereon without limitation as to length of term of office, the Secretary of Commerce shall, on or before the expiration of ninety days after the date of this Act, reappoint not more than one-third of the persons who are members of such bridge commission or authority on the date of enactment of this Act as members of such bridge commission or authority for a term of two years from the date of reappointment, reappoint not more than one-third of the members of such bridge commission or authority for a term of four years, and reappoint the remaining members for a term of six years. Thereafter, the term of each member appointed to such commission or authority shall be six years, except when an appointment is made to fill an unexpired term or when an incumbent member whose term has expired holds over until his successor is appointed, and vacancies shall be filled as provided under subsection (c) of this section.

(2) Notwithstanding any other provision of law, the term of office of each person who is a member of the White County Bridge Commission, created by the Act approved April 12, 1941 (55 Stat. 140), on the date of enactment of this Act shall expire on the ninetieth day after such date of enactment. The Secretary of Commerce shall thereupon appoint three persons as members of the commission, one for a term of two years, one for a term of four years, and one for a term of six years. Each person appointed as a member of the commission thereafter shall be appointed for a term of six years, except that a person appointed to fill a vacancy shall serve only for the unexpired term of his predecessor. Each person appointed under this subsection shall give such bond as may be fixed by the Secretary of Commerce, conditioned upon the faithful performance of all duties required by this Act. The cost of such bonds shall be deemed an operating expense of the commission. The Secretary of Commerce shall designate the member of the commission who shall serve as chairman and the member who shall serve as vice chairman. Vacancies in the commission shall not affect its powers, and shall be filled in the same manner as the original appointments were made. The commission shall have power to establish

rules and regulations for the government of its business.

(c) A vacancy in the membership of any bridge commission or authority to which this Act is applicable occurring by reason of expiration of term, failure to qualify as a member, death, removal from office, resignation, or otherwise, shall be filled by the Secretary of Commerce. Incumbent members whose terms have expired shall hold over in office until their successors are appointed and qualified.

(d) Each member appointed under this Act shall qualify within thirty days after appointment by filing with the Secretary of Commerce an oath that he will faithfully perform the duties imposed upon him by law.

(e) Each member appointed under this Act shall be removable for cause by the Secretary of Commerce.

(f) This section shall not be applicable to ex officio members or State highway department members of such bridge commissions or authorities.

SEC. 3. Each bridge commission and authority created by Act of Congress shall submit an annual report, covering its operations and fiscal transactions during the preceding fiscal year, its financial condition and a statement of all receipts and expenditures during such period, to the Governors of the States concerned and to the Secretary of Commerce not later than four months following the close of the fiscal year for which the audit required under section 1 of this Act is made.

SEC. 4. Authority is hereby granted to transfer all functions, powers, duties, responsibilities, authority, assets, liability, obligations, books, records, property, and equipment of any existing bridge commission or authority created by Act of Congress to the highway department or other agency of the State or States concerned, or to joint agencies established by interstate compact or agreement. Such transfer shall be carried out in a manner as may be prescribed or authorized by the laws of the State or States concerned. Upon such transfer, such bridge commission or authority shall cease to exist.

SEC. 5. (a) All provisions of Acts of Congress creating bridge commissions or authorities may be enforced or the violation thereof prevented by mandamus, injunction, or other appropriate remedy by the chief legal officer of either State concerned, in any court having competent jurisdiction of the subject matter and of the parties. The following provisions of law are hereby repealed:

Section 11 of the Act approved October 30, 1951 (65 Stat. 699);

Section 15 of the Act approved July 26, 1956 (70 Stat. 676);

Section 12 of the Act approved April 12, 1941 (55 Stat. 144).

(b) Members and employees of bridge commissions and authorities created by Act of Congress shall not be deemed to be Federal officers and employees.

(c) The members of such bridge commissions and authorities shall each be entitled to a per diem compensation for their services of \$20 for each day actually spent in the business of the commission or authority, but the maximum per diem compensation of the chairman in any one year shall not exceed \$3,000, and of each other member in any one year shall not exceed \$2,000. The members of such commissions and authorities shall also be entitled to receive traveling expense allowance of 12 cents a mile for each mile actually traveled on the business of the commission or authority.

Payments under the provisions of this subsection shall be in lieu of any other payments for salary or expenses authorized for service as a member of any such commission or authority under the provisions of any other Federal law relating to such



commission or authority, but nothing in this subsection shall affect any other Federal law with respect to the funds from which any such payments shall be made.

This subsection shall not apply to any bridge or causeway commission or authority created by an Act of Congress, the entire membership of which is ex officio.

SEC. 6. The provisions of this Act shall apply only to the following bridge commissions and authority:

(1) Arkansas-Mississippi Bridge Commission, created by the Act approved May 17, 1939 (53 Stat. 747);

(2) White County Bridge Commission, created by the Act approved April 12, 1941 (55 Stat. 140);

(3) City of Clinton Bridge Commission, created by the Act approved December 21, 1944 (58 Stat. 846);

(4) Sabine Lake Bridge and Causeway Authority, created by the Act approved October 30, 1951 (65 Stat. 695); and

(5) Muscatine Bridge Commission, created by the Act approved July 26, 1956 (70 Stat. 669).

SEC. 7. If any provision of this Act, or the application of such provision to any person or circumstance, is held invalid, the remainder of the Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### AMENDMENT OF TITLE II OF NATIONAL DEFENSE EDUCATION ACT OF 1958

The Clerk called the bill (H.R. 9053) to amend title II of the National Defense Education Act of 1958 with respect to the periods for which loans under that title are made.

There being no objection the Clerk read the bill as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 205(a) of the National Defense Education Act of 1958 is amended by striking out "fiscal year" and inserting in lieu thereof "academic year or its equivalent, as determined under regulations of the Commissioner,".*

(b) The amendment made by subsection (a) of this section shall not apply with respect to any academic year or equivalent period, as determined under regulations of the Commissioner of Education, which began before July 1, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### CORRECTING INEQUITY IN THE 1962 WHEAT PROGRAM

The Clerk called the bill (H.R. 8842) to amend subsection (h) of section 124 of the Agricultural Enabling Amendments Act of 1961.

There being no objection the Clerk read the bill as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (h) of section 124 of the Agricultural Enabling Amendments Act of 1961 be amended by striking, following the word*

"subsection", "(a) or", and following the words "diverted acres" insert "of the 1962 allotment".

With the following committee amendment:

Page 1, beginning on line 5 strike out the word "following" and all of line 6 and insert "striking out the words 'diverted acres' and inserting in lieu thereof 'acres diverted from the 1962 allotment'".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### PARTICIPATION IN 1962 FEED GRAIN PROGRAM

The Clerk called the bill (H.R. 8914) to amend subsection (d) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended.

The SPEAKER pro tempore. Mr. Speaker, is there objection to the present consideration of the bill?

Mr. TOLLEFSON. Mr. Speaker, at the request of Members who could not be present I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

(Mr. FINDLEY (at the request of Mr. KYL) was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. FINDLEY. Mr. Speaker, this bill is a classic example of the way that our farm control bills are liberalized almost immediately following their enactment. Earlier this year Congress passed the "Agricultural Act of 1961." Included in this law was a special 1962 control program for wheat farmers. It was signed by the President on August 8, 1961. Now this afternoon, just 40 days and 40 nights later, we have before the House two bills to liberalize that law. The first bill, H.R. 8842, which was just passed on the Consent Calendar, liberalized the method of calculating how much wheat can be released from the storage of a previously produced crop.

This bill, H.R. 8914, sets up special rules for wheatgrowers in western Kansas and in other summer fallow areas planting winter wheat and barley.

This bill will allow certain farmers to plant and harvest barley now and in 1962, even though they do not have a 1959-60 barley base. This would be allowed at the same time the Department of Agriculture would be paying other farmers for not growing as much barley as they did in 1959-60. It seems to me that such a procedure would be completely illogical and inconsistent.

Another aspect of this legislation which makes it wholly unacceptable is that it gives a special loophole to wheat farmers in just one part of the country. Farmers who retire wheatland under the new wheat law are paid from 45 percent to 60 percent of their normal yield for doing so. Under H.R. 8914 preferred farmers would not only receive this pay-

ment, but they would also be able to plant barley on those idled acres. If that barley turned out well next spring, they could harvest it and participate in the feedgrain program. If it turned out poorly, they could plow it under and replace it with other spring-planted feed grains. This preferential treatment does not appear to me to be warranted, especially in view of the fact that ample payment is made for establishing cover crops to prevent wind erosion.

#### RICE ACREAGE ALLOTMENTS

The Clerk called the bill (H.R. 9013) to provide for the transfer of rice acreage history where producer withdraws from the production of rice.

There being no objection the Clerk read the bill as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 353 of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1353), be amended by adding at the end thereof a new subsection (f) to read as follows:*

"(f) (1) If a producer in a State in which farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm, dies, his history of rice production shall be apportioned in whole or in part among his heirs or devisees according to the extent to which they may continue, or have continued, his farming operations, if satisfactory proof of such succession of farming operations is furnished the Secretary.

"(2) If a producer in a State in which farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm withdraws in whole or in part from rice production in favor of a member or members of his family who will succeed to his farming operations that portion of his rice history acreage as may be ascribed to such withdrawal may be transferred to such family member or members, as the case may be, if satisfactory proof of such relationship and succession of farming operations by such family member or members is furnished the Secretary.

"(3) If a producer in a State in which farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm permanently withdraws from rice production, his rice history acreage may be transferred to another producer or producers who have had previous rice-producing experience, provided the following conditions are met: (1) The transferee must acquire the entire farming operation pertaining to rice, including all production and harvesting equipment, any irrigation equipment not permanently attached to the land, and any land owned by the transferor to which any of the transferred rice history acreage may be ascribed; and (ii) the transferee must actually plant at least 90 per centum of his total producer rice acreage allotment, including the allotment determined on the basis of the rice history acreage acquired from the transferor for at least three out of the next four years following the transfer. Failure by the transferee to comply with condition (ii) above shall result in cancellation of the transfer of the rice history acreage. The transferor of rice acreage history under this subsection shall not be eligible for a producer rice acreage allotment for any year subsequent to such transfer, except to the extent that such allotment may be based on rice history acquired in a year (subsequent to the transfer) for which rice acreage allotments are not in effect.



"(4) Upon dissolution of a partnership in a State in which farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm, the partnership's history of rice production shall be divided among the partners in such proportion as agreed upon in writing by the partners: *Provided*, That if a partnership was formed in a year in which allotments were in effect and is dissolved in less than three consecutive crop years after the partnership became effective, the rice acreage allotment established for the partnership and rice history acreages credited to the partnership for each of the years during its existence shall be divided among the partners in the same proportion that each partner contributed to the allotment established for the partnership at the time such partnership was formed. The rice history acreage credited to each of the partners for the years prior to the time the partnership was formed shall revert to the person to whom it was originally credited."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

(Mr. FINDLEY (at the request of Mr. KYL) was given permission to extend his remarks at this point in the Record, and to include extraneous matter.)

Mr. FINDLEY. Mr. Speaker, I believe my colleagues will want to know that this is one more nail in the coffin wherein lies freedom-of-choice farm operation.

This bill permits disposition of rice allotments under these four circumstances: First, the producer dies or is declared incompetent by a court of competent jurisdiction; second, the producer withdraws in whole or in part from rice production in favor of a son, son-in-law, grandson, or nephew; third, the producer permanently withdraws from rice production; or fourth, a partnership is dissolved.

The bill gives statutory blessing to an administrative policy which separates the right to grow a commodity from a particular parcel of land.

In this case, rice allotments, which already can be carried out in the farmer's pocket, can be willed to anyone, and in some circumstances sold to other rice producers.

Most things which can be disposed of in a will can also be bought and sold. If the trend indicated in this bill continues, we can soon expect to see the right to grow commodities bought and sold like the commodities themselves, with Uncle Sam serving as chief broker.

In establishing the right to grow as an item of quasi-personal property, we open challenging new frontiers for the tax assessor.

An earlier Consent Calendar this year contained H.R. 1022, a bill authorizing the transfer and leasing of tobacco allotments. At that time I pointed out that a leasehold interest in property is much akin to outright ownership and cautioned that once leasing of allotments becomes habitual sale of allotments will quickly follow.

Supporters of H.R. 1022 loudly declared they would never permit the sale of tobacco allotments. H.R. 9013 should be a warning to such people, because it allows the sale of allotments in the set-

tlement of partnership interests and opens the door for unrestricted sale.

This bill is another significant step down the road to regimentation in agriculture.

#### INTER-AMERICAN CHILDREN'S INSTITUTE

The Clerk called the bill (H.R. 8895) to amend the joint resolution providing for membership and participation by the United States in the Inter-American Children's Institute.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, may we have a brief explanation of this bill?

Mr. SELDEN. Mr. Speaker, the Inter-American Children's Institute is a specialized organization of the Organization of American States. It serves as a center of information, study, research, technical advice, and documentations about problems relative to child welfare in the Americas. This organization has been in existence since 1919, and the United States has been a member since 1928.

Mr. GROSS. So that we may shorten the discussion, this is another bill providing for a 40-percent contribution on the part of the United States; is that correct?

Mr. SELDEN. The assessed share of the United States in the expenses of this organization at the present time is 40 percent. Currently the total budget is \$80,000, and our share of it is \$32,000.

Mr. GROSS. One of the reasons for this organization is to make nutritional studies?

Mr. SELDEN. That is correct.

Mr. GROSS. Yet there are teams of nutritional experts running all around South America and most of the rest of the world, at heavy expense to American taxpayers, digging up information on the nutritional needs of the people when the health departments of those countries unquestionably have this basic information.

I wonder when we are going to demonstrate just a little bit of sanity around here, and stop this use of \$50, \$75, and \$100 per day consultants.

Mr. SELDEN. I should point out to the gentleman that there are other programs undertaken by this group. One of its efforts during 1960 was to bring about improvement of birth registrations as well as the development of other basic statistics relating to children. The Institute during 1960 gave special consultation to Chile in connection with children's services in the earthquake-torn area. The improvement of child nutrition is only one of the programs in which this organization has been active.

Mr. GROSS. I hope the Committee on Foreign Affairs, and other committees dealing with these contributions to international agencies by the United States, will get busy and see to it that the contributions of American taxpayers are substantially reduced in all cases.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act of February 16, 1960 (74 Stat. 3), which amended the Act of May 3, 1928, as amended (22 U.S.C. 269b), is hereby amended by deleting the phrase "for the fiscal years 1961 and 1962" and inserting in lieu thereof the phrase "for the fiscal years 1963 and 1964".

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

Mr. SELDEN. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Joint Resolution 66, which is similar to the bill H.R. 8895, just passed.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There being no objection, the Clerk read the Senate joint resolution, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act of February 16, 1960 (74 Stat. 3), which amended the Act of May 3, 1928, as amended (22 U.S.C. 269b), is hereby amended by deleting the phrase "for the fiscal years 1961 and 1962".

Mr. SELDEN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SELDEN: Strike out all after the enacting clause and insert the following: "That the Act of February 16, 1960 (74 Stat. 3), which amended the act of May 3, 1928, as amended (22 U.S.C. 269b), is hereby amended by deleting the phrase 'for the fiscal years 1961 and 1962' and inserting in lieu thereof the phrase 'for the fiscal years 1963 and 1964'."

The amendment was agreed to.

The Senate joint resolution was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 8895) was laid on the table.

#### PROVIDING FOR THE COLLECTION AND PUBLICATION OF FOREIGN COMMERCE AND TRADE STATISTICS

The Clerk called the bill (H.R. 7791) to amend title 13 of the United States Code to provide for the collection and publication of foreign commerce and trade statistics, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the analysis of title 13, United States Code, immediately preceding chapter 1 of such title, is amended by adding immediately after and underneath item 7 in such analysis the following new item:

"9. Collection and Publication of Foreign Trade Statistics..... 301."

Sec. 2. Title 13, United States Code, is further amended by inserting at the end thereof the following new chapter:



**CHAPTER 9—COLLECTION AND PUBLICATION OF FOREIGN COMMERCE AND TRADE STATISTICS**

- "Sec.  
 "301. Collection and publication.  
 "302. Rules, regulations, and orders.  
 "303. Secretary of Treasury, functions.  
 "304. Filing export information, delayed filings, penalties for failure to file.  
 "305. Violations, penalties.  
 "306. Delegation of functions.  
 "307. Relationship to general census law.

**"§ 301. Collection and publication**

"The Secretary is authorized to collect information from all persons exporting from, or importing into, the United States and the noncontiguous areas over which the United States exercises sovereignty, jurisdiction, or control, and from all persons engaged in trade between the United States and such noncontiguous areas and between those areas, or from the owners, or operators of carriers engaged in such foreign commerce or trade, and shall compile and publish such information pertaining to exports, imports, trade, and transportation relating thereto, as he deems necessary or appropriate to enable him to foster promote, develop, and further the commerce, domestic and foreign, of the United States and for other lawful purposes.

**"§ 302. Rules, regulations, and orders**

"The Secretary may make such rules, regulations, and orders as he deems necessary or appropriate to carry out the provisions of this chapter. Any rules, regulations, or orders issued pursuant to this authority may be established in such form or manner, may contain such classifications or differentiations, and may provide for such adjustments and reasonable exceptions as in the judgment of the Secretary are necessary or proper to effectuate the purpose of this chapter, or to prevent circumvention or evasion of any rule, regulation, or order issued hereunder. The Secretary may also provide by rule or regulation, for such confidentiality, publication, or disclosure, of information collected hereunder as he may deem necessary or appropriate in the public interest. Rules, regulations, and orders, or amendments thereto shall have the concurrence of the Secretary of the Treasury prior to promulgation.

**"§ 303. Secretary of Treasury functions**

"To assist the Secretary to carry out the provisions of this chapter, the Secretary of the Treasury shall collect information in the form and manner prescribed by the regulations issued pursuant to this chapter from persons engaged in foreign commerce or trade, other than by mail, and from the owners or operators of carriers.

**"§ 304. Filing export information, delayed filings, penalties for failure to file**

"(a) The information or reports in connection with the exportation or transportation of cargo required to be filed by carriers with the Secretary of the Treasury under any rule, regulation, or order issued pursuant to this chapter may be filed after the departure of such carrier from the port or place of exportation or transportation, whether such departing carrier is destined directly to a foreign port or place or to a noncontiguous area, or proceeds by way of other ports or places of the United States, provided that a bond in an approved form in the penal sum of \$1,000 is filed with the Secretary of the Treasury. The Secretary of Commerce may, by a rule, regulation, or order issued in conformity herewith, prescribe a maximum period after such departure during which the required information or reports may be filed. In the event any such information or report is not filed within such prescribed period, a penalty not to exceed \$100 for each day's delinquency

beyond the prescribed period, but not more than \$1,000, shall be exacted. Civil suit may be instituted in the name of the United States against the principal and surety for the recovery of any penalties that may accrue and be exacted in accordance with the terms of the bond.

"(b) The Secretary may remit or mitigate any penalty incurred for violations of this section and regulations issued pursuant thereto if, in his opinion, they were incurred without willful negligence or fraud, or other circumstances justify a remission or mitigation.

**"§ 305. Violations, penalties**

"Any person, including the owners or operators of carriers, violating the provisions of this chapter, or any rule, regulation, or order issued thereunder, except as provided in section 304 above, shall be liable to a penalty not to exceed \$1,000 in addition to any other penalty imposed by law. The amount of any such penalty shall be payable into the Treasury of the United States and shall be recoverable in a civil suit in the name of the United States.

Date	Statutes at Large				Revised Statutes	United States Code	
	Chapter	Section	Volume	Page		Title	Section
July 16, 1892	196	1	27	197	336 337 339 341 263 251 338 3812 265	15 15 15 15 15 15 15 15 15	1 173 2 174 1 177 1 179 1 181 1 184 1 185 1 186 1 187
Apr. 29, 1902	637	10	32	172	46	46	9 95
Do	637	10	32	172	48	48	1 1486
Jan. 5, 1923	23	2	42	1110	15 4200	15 46	193 10 92

<sup>1</sup> As amended by acts of Feb. 14, 1903, ch. 552, § 10, 32 Stat. 829; Aug. 23, 1912, ch. 350, § 1, 37 Stat. 407; Mar. 4, 1913, ch. 141, § 1, 37 Stat. 736; Jan. 25, 1919, ch. 10, 40 Stat. 1055; Mar. 1, 1919, ch. 86, 40 Stat. 1256.

<sup>2</sup> As amended by acts of Feb. 14, 1903, ch. 552, § 10, 32 Stat. 829; Aug. 23, 1912, ch. 350, § 1, 37 Stat. 407; Mar. 4, 1913, ch. 141, § 1, 37 Stat. 736; Mar. 1, 1919, ch. 86, 40 Stat. 1256.

<sup>3</sup> As amended by acts of Mar. 3, 1893, ch. 211, § 1, 27 Stat. 689; Feb. 14, 1903, ch. 552, § 10, 32 Stat. 829; Aug. 23, 1912, ch. 350, § 1, 37 Stat. 407; Mar. 4, 1913, ch. 141, § 1, 37 Stat. 736.

<sup>4</sup> As amended by acts of Mar. 3, 1875, ch. 129, § 1, 18 Stat. 352; Feb. 14, 1903, ch. 552, § 10, 32 Stat. 829; Aug. 23, 1912, ch. 350, § 1, 37 Stat. 407; Mar. 4, 1913, ch. 141, § 1, 37 Stat. 736; Mar. 1, 1919, ch. 86, 40 Stat. 1256.

<sup>5</sup> As amended by acts of Aug. 23, 1912, ch. 350, § 1, 37 Stat. 407; Mar. 1, 1919, ch. 86, 40 Stat. 1256.

<sup>6</sup> As amended by acts of Feb. 14, 1903, ch. 552, § 10, 32 Stat. 829; Aug. 23, 1912, ch. 350, § 1, 37 Stat. 407; Mar. 4, 1913, ch. 141, § 1, 37 Stat. 736; Mar. 1, 1919, ch. 86, 40 Stat. 1256.

<sup>7</sup> Only part referring to form of annual statements on commerce and navigation as amended by acts of Feb. 14, 1903, ch. 552, § 10, 32 Stat. 829; Mar. 4, 1913, ch. 141, § 1, 37 Stat. 736.

<sup>8</sup> As amended by acts of Jan. 12, 1895, ch. 23, § 17, 28 Stat. 603; Feb. 14, 1903, ch. 552, § 10, 32 Stat. 829; Mar. 4, 1913, ch. 141, § 1, 37 Stat. 736.

<sup>9</sup> As amended by acts of Feb. 14, 1903, ch. 552, 32 Stat. 829; Mar. 4, 1913, ch. 141, 37 Stat. 736; Apr. 7, 1948, ch. 177, 62 Stat. 161.

<sup>10</sup> As amended by acts of June 16, 1938, ch. 476, § 2, 52 Stat. 759; June 29, 1938, ch. 821, 52 Stat. 1248.

SEC. 4. The provisions of this Act shall take effect one hundred and eighty days after approval, except that the last sentence of section 337, "Fifth" of the Revised Statutes, and the requirement for oaths as found in section 4200 of the Revised Statutes shall be repealed effective on the date this Act is approved.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

**HIGHWAY POST OFFICE SERVICE**

The Clerk called the bill (H.R. 6695) to amend title 39 of the United States Code with respect to the transportation of mail by highway post office service, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HAYS. Mr. Speaker, reserving the right to object, could we have a brief explanation of this bill?

**"§ 306. Delegation of functions**

"Subject to the concurrence of the head of the department or agency concerned, the Secretary may make such provisions as he shall deem appropriate, authorizing the performance by any officer, agency, or employee of the United States Government departments or offices, or the governments of any areas over which the United States exercises sovereignty, jurisdiction, or control, of any function of the Secretary, contained in this chapter.

**"§ 307. Relationship to general census law**

"The following sections only, 1, 2, 3, 4, 5, 6, 7, 11, 21, 22, 23, 24, 211, 212, 213, and 214, of chapters 1 through 7 of this title are applicable to this chapter."

SEC. 3. The sections of the Acts, and the Acts or parts of Acts, enumerated in the following schedule, are hereby repealed. Any rights or liabilities now existing under such statutes or parts thereof, and any proceedings instituted under or growing out of, any of such statutes or parts thereof, shall not be affected by this repeal.

Mr. HAGAN of Georgia. Mr. Speaker, these amendments to the bill were offered and approved by the Post Office Department. Enactment of this legislation will simply facilitate a more effective and economic utilization by the Post Office Department of two of its important transportation authorities, that is, the authorities to enter into contracts for highway post office service and contracts for star route service.

Three major substantive change in existing postal policies and procedures in this respect are provided by H.R. 6695.

Mr. HAYS. Can the gentleman tell me in what way it will facilitate it? I have been having trouble in my area with these postal deliveries now. It is slowed down, and people are complaining that they are not getting their mail on time, it is a day late, and so on. Will this help that situation at all? If so, how?

Mr. HAGAN of Georgia. This bill authorizes the Postmaster General to add







87<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 9013

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 19 (legislative day, SEPTEMBER 16), 1961

Read twice and referred to the Committee on Agriculture and Forestry

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## AN ACT

To provide for the transfer of rice acreage history where  
producer withdraws from the production of rice.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       That section 353 of the Agricultural Adjustment Act of  
4       1938, as amended (7 U.S.C. 1353), be amended by adding  
5       at the end thereof a new subsection (f) to read as follows:

6       “(f) (1) If a producer in a State in which farm rice  
7       acreage allotments are determined on the basis of past  
8       production of rice by the producer on the farm, dies, his  
9       history of rice production shall be apportioned in whole or  
10      in part among his heirs or devisees according to the extent  
11      to which they may continue, or have continued, his farming

1 operations, if satisfactory proof of such succession of farming  
2 operations is furnished the Secretary.

3 “(2) If a producer in a State in which farm rice acreage  
4 allotments are determined on the basis of past production of  
5 rice by the producer on the farm withdraws in whole or in  
6 part from rice production in favor of a member or members  
7 of his family who will succeed to his farming operations that  
8 portion of his rice history acreage as may be ascribed to such  
9 withdrawal may be transferred to such family member or  
10 members, as the case may be, if satisfactory proof of such  
11 relationship and succession of farming operations by such  
12 family member or members is furnished the Secretary.

13 “(3) If a producer in a State in which farm rice acreage  
14 allotments are determined on the basis of past production of  
15 rice by the producer on the farm permanently withdraws  
16 from rice production, his rice history acreage may be trans-  
17 ferred to another producer or producers who have had previ-  
18 ous rice-producing experience, provided the following condi-  
19 tions are met: (i) The transferee must acquire the entire  
20 farming operation pertaining to rice, including all produc-  
21 tion and harvesting equipment, any irrigation equipment  
22 not permanently attached to the land, and any land owned by  
23 the transferor to which any of the transferred rice history  
24 acreage may be ascribed; and (ii) the transferee must  
25 actually plant at least 90 per centum of his total producer

1 rice acreage allotment, including the allotment determined  
2 on the basis of the rice history acreage acquired from the  
3 transferor for at least three out of the next four years fol-  
4 lowing the transfer. Failure by the transferee to comply  
5 with condition (ii) above shall result in cancellation of the  
6 transfer of the rice history acreage. The transferor of rice  
7 acreage history under this subsection shall not be eligible for  
8 a producer rice acreage allotment for any year subsequent  
9 to such transfer, except to the extent that such allotment may  
10 be based on rice history acquired in a year (subsequent to  
11 the transfer) for which rice acreage allotments are not in  
12 effect.

13 “(4) Upon dissolution of a partnership in a State in  
14 which farm rice acreage allotments are determined on the  
15 basis of past production of rice by the producer on the farm,  
16 the partnership’s history of rice production shall be divided  
17 among the partners in such proportion as agreed upon in  
18 writing by the partners: *Provided*, That if a partnership was  
19 formed in a year in which allotments were in effect and is  
20 dissolved in less than three consecutive crop years after the  
21 partnership became effective, the rice acreage allotment  
22 established for the partnership and rice history acreages  
23 credited to the partnership for each of the years during its  
24 existence shall be divided among the partners in the same  
25 proportion that each partner contributed to the allotment

1 established for the partnership at the time such partnership  
2 was formed. The rice history acreage credited to each of  
3 the partpers for the years prior to the time the partnership  
4 was formed shall revert to the person to whom it was origi-  
5 nally credited.”

Passed the House of Representatives September 18, 1961.

Attest:

RALPH R. ROBERTS,

*Clerk.*



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## AN ACT

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To provide for the transfer of rice acreage history where producer withdraws from the production of rice.

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SEPTEMBER 19 (legislative day, SEPTEMBER 16), 1961  
Read twice and referred to the Committee on  
Agriculture and Forestry







# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF  
BUDGET AND FINANCE

(For information only;  
should not be quoted  
or cited)

Issued February 8, 1962  
For actions of February 7, 1962  
87th-2d, No. 19

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HIGHLIGHTS: House received supplemental appropriation estimates for FS, ARS, and AMS. Sen. Miller criticized farm bill. Senate committee voted to report bills to permit farms on which summer fallow is practiced to participate in feed grain program, and to permit producers to withdraw wheat from stored excess supplies. Sen. Javits introduced and discussed bill to extend school lunch program to non-profit summer camps for children.

## HOUSE

1. APPROPRIATIONS. Received from the President supplemental appropriation estimates for the fiscal year 1962 (H. Doc. 333); to Appropriations Committee. This document includes for this Department estimates of \$3,000,000 for the Agricultural Research Service to extend the screwworm eradication program into the Southwest; \$36,000,000 for fighting forest fires and \$1,000,000 for insect and disease control for the Forest Service; and \$450,000 for the Agricultural Marketing Service for an increased volume of poultry inspection. p. 1875
2. FARM PROGRAM. Extension of remarks of Rep. Johnson, Wis., inserting a speech by John Baker before the Land and People Conference, "Opportunities for People on the Land." pp. 1867-72
3. IRRIGATION. The "Daily Digest" states that the Interior and Insular Affairs Committee "defeated a motion to order reported H. R. 378, relating to the Burns Creek site in the upper Snake River Valley, Idaho." p. D76

4. LIBRARIES. The "Daily Digest" states that Subcommittee No. 3 of the Judiciary Committee "reported adversely to the full committee ... S. 464, and related House bills, granting the consent of Congress to interstate compacts for the development or operation of library facilities and service." p. D77
5. PUBLIC DEBT. The Ways and Means Committee voted to report (but did not actually report) H. R. 10050, to provide for a further temporary increase in the public debt limit. p. D77
6. FOREIGN TRADE. Rep. Collier favorably discussed the renewal of the Reciprocal Trade Agreements Act, and said, "I believe it is the responsibility of Congress in renewing the Reciprocal Trade Agreements Act to place embargoes upon Communist nations." pp. 1853-4  
Rep. Bailey inserted "Excerpts From AFL-CIO Debate on Foreign Trade Relations." pp. 1859-60
7. HOUSING. Several Representatives discussed the merits of the proposed Department of Urban Affairs and Housing. pp. 1858-9, 1860-5
8. STOCKPILING. Rep. Burke, Mass., said, "President Kennedy is to be commended for his courageous action of last week in ordering the Government to cease stockpiling critical materials," and inserted an article, "Kirwin Leads Attack on Stockpiling." pp. 1872-3

SENATE

9. THE AGRICULTURE AND FORESTRY COMMITTEE voted to report (but did not actually report) the following bills: pp. D74-5  
H. R. 8842, without amendment, to amend the Agricultural Act of 1961 so as to permit a wheat producer to withdraw from his stored excess the amount of wheat by which he fails to make his normal production on the reduced acreage allotment, less the acres voluntarily retired below the allotment;  
S. 2533, with amendment, to amend the Soil Conservation and Domestic Allotment Act so as to permit farmers in summer-fallow areas to participate in the feed grains program;  
S. 875, without amendment, to authorize the Secretary of Agriculture to convey to Wyoming for agricultural purposes the SCS Farson Pilot Farm in Sweetwater County, Wyo.;  
H. R. 4934, without amendment, to authorize the Secretary of Agriculture to modify certain leases entered into for the provision of recreational facilities in reservoir areas; and  
H. R. 9013, without amendment, to provide for the transfer of rice acreage history where a producer withdraws from the production of rice.
10. FARM BILL. Sen. Ellender announced that the Agriculture and Forestry Committee will begin hearings Feb. 19 on the farm bill. p. 1678  
Sen. Miller criticized the proposed farm bill; charged that surpluses of feed grains "are being used today to scare farmers into so-called voluntary participation" in the farm program, and inserted several articles on the matter. pp. 1806-7
11. EDUCATION. Received from HEW a proposed bill "to assist in providing necessary instruction for adults unable to read and write English or with less than a sixth grade level of education, through grants to institutions of higher learning ... and through grants to States for pilot projects"; to Labor and Public Welfare Committee. p. 1668







# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF  
BUDGET AND FINANCE

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Issued February 9, 1962  
For actions of February 8, 1962  
87th-2d, No. 20

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HIGHLIGHTS: Senate committee reported bills to permit summer fallow lands to participate in feed grains program, and to permit producers to withdraw wheat from stored excess supplies. Reps. Langen and May urged early consideration of sugar legislation.

## SENATE

1. THE AGRICULTURE AND FORESTRY COMMITTEE reported the following bills: p. 1893  
H. R. 8842, without amendment, to amend the Agricultural Act of 1961 so as to permit a wheat producer to withdraw from his stored excess the amount of wheat by which he fails to make his normal production on the reduced acreage allotment, less the acres voluntarily retired below the allotment (S. Rept. 1209);  
S. 2533, with amendment, to amend the Soil Conservation and Domestic Allotment Act so as to permit farmers in summer-fallow areas to participate in the feed grains program (S. Rept. 1208);  
S. 875, without amendment, to authorize the Secretary of Agriculture to convey to Wyoming for agricultural purposes the SCS Farson Pilot Farm in Sweetwater County, Wyo. (S. Rept. 1206);  
H. R. 4934, without amendment, to authorize the Secretary of Agriculture to modify certain leases entered into for the provision of recreational facilities in reservoir areas (S. Rept. 1205); and  
H. R. 9013, without amendment, to provide for the transfer of rice acreage history where a producer withdraws from the production of rice (S. Rept. 1207).

2. WATERSHEDS; BUDGET. Sen. Byrd, W. Va., expressed disappointment that the 1963 budget did not include estimates for the construction of a watershed and forest management research laboratory and other facilities at Parsons, W. Va., and stated that he would "attempt again to amend the bill when it is again before the Senate Appropriations Committee this year to include moneys for this very worthy purpose." pp. 1922-3
3. STOCKPILING. Sen. Symington reported an original resolution, S. Res. 295, from the Armed Services Committee to authorize expenditures for an investigation of the stockpiling of strategic and critical materials. pp. 1893-4
4. FOREIGN TRADE. Sen. Bush inserted an article on foreign trade, "Trade Bloc Cites U. S. Tariff Laws -- Common Market Warns on 'Peril Point' Clause." pp. 1902-3  
Sen. Keating inserted an editorial supporting his proposal that Congress be given the power to veto trade agreements and modifications of trade agreements negotiated by the executive branch. p. 1915
5. FISH FLOUR. Sen. Gruening inserted his letter to the Secretary of HEW protesting the Food and Drug Administration standards on the use of fish protein in foods. pp. 1915-6
6. PATENTS. Sen. Hruska inserted the testimony of Dr. Vannevar Bush before the Subcommittee on Antitrust and Monopoly of the S. Judiciary Committee "warning against the results of piecemeal tinkering with the patent system." pp. 1916-7
7. HOUSING. Sen. Muskie inserted two documents he had prepared relative to the proposal to establish a Department of Urban Affairs and Housing "which provide an objective analysis of the plan, its intent, and its implications." pp. 1957-60
8. ADJOURNED until Mon., Feb. 12. p. 1963

HOUSE

9. HONEYBEES. The Subcommittee on Research and Extension of the Agriculture Committee voted to report to the full committee H. R. 8050, to prohibit the importation of all honeybees of the genus Apis in the adult stage except for research by the USDA or as the Secretary shall determine. p. D80
10. HOUSING. The "Daily Digest" states: "Committee on Government Operations: After concluding hearings on Reorganization Plan No. 1 of 1962, to create a Department of Urban Affairs and Housing, the committee favorably approved the plan." p. D81
11. MANPOWER. The Rules Committee granted an open rule with 3 hours debate on H. R. 8399, the Manpower Training and Development Act of 1962. p. D81
12. TERRITORIES. The Subcommittee on Territorial and Insular Affairs of the Interior and Insular Affairs Committee voted to report to the full committee H. R. 10063, to provide for appointment of acting secretaries for Guam and Virgin Islands under certain conditions. p. D81
13. SUGAR. Rep. Langen discussed sugar legislation, saying, "It is inconceivable to me that the Congress should be expected to talk about either farm problems or reciprocal trade policies without prior agreement on long-term sugar legislation." p. 1888



## RICE PRODUCER HISTORY SUCCESSION

FEBRUARY 8, 1962.—Ordered to be printed

Mr. ELLENDER, from the Committee on Agriculture and Forestry,  
submitted the following

## R E P O R T

[To accompany H.R. 9013]

The Committee on Agriculture and Forestry, to whom was referred the bill (H.R. 9013), to provide for the transfer of rice acreage history where producer withdraws from the production of rice, having considered the same, report thereon with a recommendation that it do pass without amendment.

## EXPLANATION OF BILL

This bill makes express statutory provision for succession to rice acreage history in States and areas where rice acreage allotments are apportioned on the basis of producer acreage history. The Department of Agriculture has made provision in the past for such succession by regulation without clear legislative authority therefor; and the bill, with slight exceptions, follows the Department's regulations. The Department favors enactment. Rice allotments are currently based on producer history in California, Texas, Tennessee, North Carolina, Florida, and parts of Louisiana. Succession would be as follows:

(1) If the producer dies, his production history passes to his heirs or devisees continuing his farming operations.

(2) If the producer withdraws in whole or in part from rice production in favor of members of his family who succeed to his farming operations, the production history ascribed to such withdrawal may be transferred to such members.

(3) If the producer permanently withdraws from rice production, his history may be transferred to experienced rice producers acquiring his entire rice farming operation. The transfer in this case would be canceled if the transferee did not plant 90 percent

of his total allotment for at least 3 of the 4 years following the transfer.

(4) Upon dissolution of a partnership, the partnership history will be divided among the partners as agreed by them; except that if the partnership was formed in an allotment year and dissolved in less than 3 crop years, the history would be divided in the same proportion as the partners had contributed to the first partnership allotment.

#### COST

There would be no additional cost to the Government resulting from this legislation.

#### DEPARTMENTAL APPROVAL

The report of the Department of Agriculture favoring enactment of the bill is attached.

DEPARTMENT OF AGRICULTURE,  
*Washington, D.C., January 17, 1962.*

Hon. ALLEN J. ELLENDER,  
*Chairman, Committee on Agriculture and Forestry,*  
*U.S. Senate.*

DEAR SENATOR ELLENDER: This is in reply to Mr. Mouser's request of January 11, 1962, for a report on H.R. 9013, a bill to provide for the transfer of rice acreage history where producer withdraws from the production of rice.

This Department recommends the enactment of this bill.

H.R. 9013 would amend section 353 of the Agricultural Adjustment Act of 1938, as amended, to provide for the transfer of rice acreage history in a State or administrative area in which farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm in those instances where (1) the producer dies, (2) the producer withdraws in whole or in part from rice production in favor of a member of his family, (3) the producer permanently withdraws from rice production, or (4) a partnership is dissolved.

The purpose of this bill is to give expressed statutory effect to the succession of interest provisions which for several years have been included in the Secretary's regulations governing the establishment of farm rice acreage allotments in States and administrative areas in which such allotments are determined on the basis of past production of rice by the producer on the farm. Except for the provisions which would permit a producer to transfer a part or all of his rice acreage history to a member of his family, and a slight change in the language of the provision pertaining to a producer who permanently withdraws from rice production, the provisions of this bill are essentially the same as those currently contained in the Secretary's regulations and for all practical purposes, will accomplish the same objective.

Since the sale of rieland in States in which farm rice acreage allotments are determined on the basis of past production of rice on the farm carries with it the rice acreage history of the farm, it is considered both appropriate and desirable that in States in which farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm the transfer of personal rice

history be permitted in those cases where the producer either dies, withdraws in whole or in part from rice production in favor of a member of his family, permanently withdraws from rice production by the sale of all rice producing equipment together with any land owned by the producer to which any of such rice acreage may be ascribed, or is involved in the dissolution of a partnership. No express statutory provision relating to the transfer of personal rice acreage history now exists in the law.

In order to clarify certain terms as used in paragraph 3 of this bill, we desire to submit for the record our interpretation of the following terms:

1. "*Producers who have had previous rice-producing experience.*"—A producer shall be considered to have had previous rice-producing experience only if he has actually participated in producing, harvesting, and marketing of one or more crops of rice and shared in the crop or proceeds therefrom as landlord, tenant, or sharecropper.

2. "*Land owned by the transferor to which any of the transferred rice history acreage may be ascribed.*"—Rice history acreage shall be considered as ascribed to land to the extent that any rice has been produced on such land during any one or more of the years in the applicable base period used in establishing the rice acreage allotment for the crop then current at the time of acquisition by the transferee.

The enactment of this bill will not require the expenditure of any additional funds.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

ORVILLE L. FREEMAN, *Secretary.*

#### CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

#### AGRICULTURAL ADJUSTMENT ACT OF 1938, AS AMENDED

\* \* \* \* \*

#### APPORTIONMENT OF NATIONAL ACREAGE ALLOTMENT

SEC. 353. (a) The national acreage allotment of rice for each calendar year, less a reserve of not to exceed 1 per centum thereof for apportionment by the Secretary as provided in this subsection, shall be apportioned by the Secretary among the several States in which rice is produced in proportion to the average number of acres of rice in each State during the five-year period immediately preceding the calendar year for which such national acreage allotment of rice is determined (plus, in applicable years, the acreage diverted under previous agricultural adjustment and conservation programs) with



adjustments for trends in acreage during the applicable period. The Secretary shall provide for the apportionment of the reserve acreage set aside pursuant to this subsection to farms receiving allotments which are inadequate because of an insufficient State or county acreage allotment or because rice was not planted on the farm during all of the preceding five years. Notwithstanding the foregoing provisions of this subsection, the reserve acreage set aside for the 1950 crop pursuant to this subsection shall not exceed one-half of 1 per centum and shall be in addition to the 1950 national acreage allotment as heretofore proclaimed by the Secretary and apportioned by him among the several rice-producing States and shall be available for apportionment to new farms without regard to the limitation contained in subsection (b) of this section.

(b) The State acreage allotment shall be apportioned to farms owned or operated by persons who have produced rice in the State in any one of the five calendar years immediately preceding the year for which such apportionment is made on the basis of past production of rice in the State by the producer on the farm taking into consideration the acreage allotments previously established in the State for such owners or operators; abnormal conditions affecting acreage; land, labor, and equipment available for the production of rice; crop rotation practices; and the soil and other physical factors affecting the production of rice: *Provided*, That if the State committee recommends such action and the Secretary determines that such action will facilitate the effective administration of the Act, he may provide for the apportionment of part or all of the State acreage allotment to farms on which rice has been produced during any one of such period of years on the basis of the foregoing factors, using past production of rice on the farm and the acreage allotments previously established for the farm in lieu of past production of rice by the producer and the acreage allotments previously established for such owners or operators. Not more than 3 per centum of the State acreage allotment shall be apportioned among farms operated by persons who will produce rice in the State during the calendar year for which the allotment is made but who have not produced rice in the State in any one of the past five years, on the basis of the applicable apportionment factors set forth herein: *Provided further*, That if the Secretary determines that part of the State acreage allotment shall be apportioned on the basis of past production of rice by the producer on the farm and part on the basis of the past production of rice on the farm, he shall divide the State into two administrative areas, to be designated "producer administrative area" and "farm administrative area", respectively, which areas shall be separated by a natural barrier which would prevent each area from being readily accessible to rice producers in one area for producing rice in the other area, and each such area shall be composed of whole counties: *Provided*, That in any State in which allotments are established for farms on the basis of past production of rice on the farm such percentage of the State acreage allotment shall be apportioned among the farms on which rice is to be planted during the calendar year for which the apportionment is made but on which rice was not planted during any of the past five years, on the basis of the applicable apportionment factors set forth herein. In determining the eligibility of any producer or farm for an allotment as

an old producer or farm under the first sentence of this subsection or as a new producer or farm under the second sentence of this subsection, such producer or farm shall not be considered to have produced rice on any acreage which under subsection (c)(2) is either not to be taken into account in establishing acreage allotments or is not to be credited to such producer. For purposes of this section in States which have been divided into administrative areas pursuant to this subsection the term "State acreage allotment" shall be deemed to mean that part of the State acreage allotment apportioned to each administrative area and the word "State" shall be deemed to mean "administrative area," wherever applicable.

(c) Notwithstanding any other provisions of this Act—

(1) If farm acreage allotments are established by using past production of rice on the farm and the acreage allotments previously established for the farm in lieu of past production of rice by the producer and the acreage allotments previously established for owners or operators, the State acreage allotment shall be apportioned among counties in the State on the same basis as the national acreage allotment is apportioned among the States and the county acreage allotments shall be apportioned to farms on the basis of the applicable factors set forth in subsection (b) of this section: *Provided*, That if the State is divided into administrative areas pursuant to subsection (b) of this section the allotment for each administrative area shall be determined by apportioning the State acreage allotment among counties as provided in this subsection and totaling the allotments for the counties in such area: *Provided*, That the State committee may reserve not to exceed 5 per centum of the State allotment, which shall be used to make adjustments in county allotments for trends in acreage and for abnormal conditions affecting plantings;

(2) Any acreage planted to rice in excess of the farm acreage allotment shall not be taken into account in establishing State, county, and farm acreage allotments.

In determining the past production of rice by producers on a farm for the purpose of establishing farm acreage allotments for the 1956 and subsequent crops, the acreage of rice on the farm for any year for which farm acreage allotments were in effect shall be divided among the producers thereon in the proportion in which they contributed to the farm acreage allotment.

(3) Each of the State acreage allotments for 1955 heretofore proclaimed by the Secretary shall be increased by 2 per centum or by such greater acreage as may be necessary to provide such State with an allotment equal to its 1950 allotment. In any State having county acreage allotments for 1955 (i) the increase in the State allotment shall be apportioned among counties in the State on the same basis as the State allotment was heretofore apportioned among the counties, but without regard to adjustments for trends in acreage, and (ii) the 1955 allotment for any county in which the 1950–1954 average planted plus diverted acreage of rice, adjusted for trends in acreage, exceeds the 1945–1949 average planted acreage of rice, similarly adjusted, by more than 2 per centum shall then be further increased by such additional acreage as may be necessary to provide such



county with an allotment equal to its 1950 allotment. The increases in the county acreage allotments and the increases in the State allotments, where county allotments are not determined, shall be used to establish farm acreage allotments which are fair and reasonable in relation to the applicable allotment factors specified in subsection (b) of this section and to correct inequities and prevent hardships.

(4) The reserve acreage made available for 1955 in any State for apportionment to farms operated by persons who have not produced rice during the preceding five years or on which rice has not been planted in the preceding five years shall not be less than five hundred acres; and the additional acreage necessary to provide such minimum reserve acreages shall be in addition to the National and State acreage allotments.

(5) Each of the State acreage allotments for 1956 heretofore proclaimed by the Secretary, after adding thereto any acreage apportioned to farms in the State from the reserve acreage set aside pursuant to subsection (a) of this section, shall be increased by such amount as may be necessary to provide such State with an allotment of not less than 85 per centum of its final allotment established for 1955. Any additional acreage required to provide such minimum allotment shall be additional to the national acreage allotment. In any State having county acreage allotments for 1956, the increase in the State allotment shall be apportioned among counties in the State on the same basis as the State allotment was heretofore apportioned among the counties, but without regard to adjustments for trends in acreage.

(6) The national acreage allotments of rice for 1957 and subsequent years shall be not less than the national acreage allotment for 1956, including any acreage allotted under paragraph (5) of this subsection, and such national allotments for 1957 and subsequent years shall be apportioned among the States in the same proportion that they shared in the total acreage allotted in 1956.

(d) The provisions of this part shall not apply to nonirrigated rice produced on any farm on which the acreage planted to nonirrigated rice does not exceed three acres or to rice produced outside the continental United States.

(e) Any part of the farm rice acreage allotment on which rice will not be planted and which is voluntarily surrendered to the county committee shall be deducted from the allotment to such farm and may be reapportioned by the county committee to other farms in the same county receiving allotments in amounts determined by the county committee to be fair and reasonable on the basis of the past production of rice by the producers on the farm or the past production of rice on the farm, as the case may be; acreage allotments previously established for the farm or for the producers on the farm, as the case may be; abnormal conditions affecting acreage; land, labor, water, and equipment available for the production of rice; crop-rotation practices; and the soil and other physical factors affecting the production of rice. Any allotment surrendered under this provision shall be regarded for the purposes of subsection (b) of this section as having been planted on the farm from which surrendered, except that this shall not operate to make the farm from which the allotment was sur-

rendered eligible for an allotment as having rice planted thereon, or to make any producer thereon eligible for an allotment as having produced rice, during the five-year base period.

(f)(1) *If a producer in a State in which farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm, dies, his history of rice production shall be apportioned in whole or in part among his heirs or devisees according to the extent to which they may continue, or have continued, his farming operations, if satisfactory proof of such succession of farming operations is furnished the Secretary.*

(2) *If a producer in a State in which farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm withdraws in whole or in part from rice production in favor of a member or members of his family who will succeed to his farming operations that portion of his rice history acreage as may be ascribed to such withdrawal may be transferred to such family member or members, as the case may be, if satisfactory proof of such relationship and succession of farming operations by such family member or members is furnished the Secretary.*

(3) *If a producer in a State in which farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm permanently withdraws from rice production, his rice history acreage may be transferred to another producer or producers who have had previous rice-producing experience, provided the following conditions are met: (i) The transferee must acquire the entire farming operation pertaining to rice, including all production and harvesting equipment, any irrigation equipment not permanently attached to the land, and any land owned by the transferor to which any of the transferred rice history acreage may be ascribed; and (ii) the transferee must actually plant at least 90 per centum of his total producer rice acreage allotment, including the allotment determined on the basis of the rice history acreage acquired from the transferor for at least three out of the next four years following the transfer. Failure by the transferee to comply with condition (ii) above shall result in cancellation of the transfer of the rice history acreage. The transferor of rice acreage history under this subsection shall not be eligible for a producer rice acreage allotment for any year subsequent to such transfer, except to the extent that such allotment may be based on rice history acquired in a year (subsequent to the transfer) for which rice acreage allotments are not in effect.*

(4) *Upon dissolution of a partnership in a State in which farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm, the partnership's history of rice production shall be divided among the partners in such proportion as agreed upon in writing by the partners. Provided, That if a partnership was formed in a year in which allotments were in effect and is dissolved in less than three consecutive crop years after the partnership became effective, the rice acreage allotment established for the partnership and rice history acreages credited to the partnership for each of the years during its existence shall be divided among the partners in the same proportion that each partner contributed to the allotment established for the partnership at the time such partnership was formed. The rice history acreage credited to each of the partners for the years prior to the time the partnership was formed shall revert to the person to whom it was originally credited.*





Calendar No. 1186

87<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 9013

[Report No. 1207]

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 19 (legislative day, SEPTEMBER 16), 1961

Read twice and referred to the Committee on Agriculture and Forestry

FEBRUARY 8, 1962

Reported by Mr. ELLENDER, without amendment

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## AN ACT

To provide for the transfer of rice acreage history where  
producer withdraws from the production of rice.

1     *Be it enacted by the Senate and House of Representa-*  
2     *tives of the United States of America in Congress assembled,*  
3     That section 353 of the Agricultural Adjustment Act of  
4     1938, as amended (7 U.S.C. 1353), be amended by adding  
5     at the end thereof a new subsection (f) to read as follows:  
6     “(f) (1) If a producer in a State in which farm rice  
7     acreage allotments are determined on the basis of past  
8     production of rice by the producer on the farm, dies, his  
9     history of rice production shall be apportioned in whole or  
10    in part among his heirs or devisees according to the extent  
11    to which they may continue, or have continued, his farming

1 operations, if satisfactory proof of such succession of farming  
2 operations is furnished the Secretary.

3 “(2) If a producer in a State in which farm rice acreage  
4 allotments are determined on the basis of past production of  
5 rice by the producer on the farm withdraws in whole or in  
6 part from rice production in favor of a member or members  
7 of his family who will succeed to his farming operations that  
8 portion of his rice history acreage as may be ascribed to such  
9 withdrawal may be transferred to such family member or  
10 members, as the case may be, if satisfactory proof of such  
11 relationship and succession of farming operations by such  
12 family member or members is furnished the Secretary.

13 “(3) If a producer in a State in which farm rice acreage  
14 allotments are determined on the basis of past production of  
15 rice by the producer on the farm permanently withdraws  
16 from rice production, his rice history acreage may be trans-  
17 ferred to another producer or producers who have had previ-  
18 ous rice-producing experience, provided the following condi-  
19 tions are met: (i) The transferee must acquire the entire  
20 farming operation pertaining to rice, including all produc-  
21 tion and harvesting equipment, any irrigation equipment  
22 not permanently attached to the land, and any land owned by  
23 the transferor to which any of the transferred rice history  
24 acreage may be ascribed; and (ii) the transferee must  
25 actually plant at least 90 per centum of his total producer

1 rice acreage allotment, including the allotment determined  
2 on the basis of the rice history acreage acquired from the  
3 transferor for at least three out of the next four years fol-  
4 lowing the transfer. Failure by the transferee to comply  
5 with condition (ii) above shall result in cancellation of the  
6 transfer of the rice history acreage. The transferor of rice  
7 acreage history under this subsection shall not be eligible for  
8 a producer rice acreage allotment for any year subsequent  
9 to such transfer, except to the extent that such allotment may  
10 be based on rice history acquired in a year (subsequent to  
11 the transfer) for which rice acreage allotments are not in  
12 effect.

13 “(4) Upon dissolution of a partnership in a State in  
14 which farm rice acreage allotments are determined on the  
15 basis of past production of rice by the producer on the farm,  
16 the partnership’s history of rice production shall be divided  
17 among the partners in such proportion as agreed upon in  
18 writing by the partners: *Provided*, That if a partnership was  
19 formed in a year in which allotments were in effect and is  
20 dissolved in less than three consecutive crop years after the  
21 partnership became effective, the rice acreage allotment  
22 established for the partnership and rice history acreages  
23 credited to the partnership for each of the years during its  
24 existence shall be divided among the partners in the same  
25 proportion that each partner contributed to the allotment

87<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

H. R. 9013

[Report No. 1207]

AN ACT

To provide for the transfer of rice acreage history where producer withdraws from the production of rice.

SEPTEMBER 19 (legislative day, SEPTEMBER 16), 1961  
Read twice and referred to the Committee on  
Agriculture and Forestry

FEBRUARY 8, 1962

Reported without amendment







# Digest of CONGRESSIONAL PROCEEDINGS

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF  
BUDGET AND FINANCE

(For information only;  
should not be quoted  
or cited)

Issued February 21, 1962  
For actions of February 20, 1962  
87th-2d, No. 24

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**HIGHLIGHTS:** Both Houses received pay reform bill. Senate passed bills to: Permit summer fallow lands to participate in feed grains program. Permit producers to withdraw wheat from stored excess supplies. Rep. Rains urged increase in ACP authorization. Rep. Short criticized farm bill.

### SENATE

1. **PERSONNEL; PAY.** Both Houses received the President's Federal pay reform message (H. Doc. 344) (pp. 2326-8, 2360-2). The President proposed an overall average pay raise of 10 percent for classified employees, ranging from approximately 3.7 percent in the lower grades to 35 percent in the upper grades, to become effective over a three-year period beginning Jan. 1, 1963. He stated that the proposal would enlarge the differences in salaries between the entry rates of successive grade levels by not less than 10 percent, provide wider salary ranges within each grade, and "create new upper grades to bring within the salary provisions of the Classification Act all those with top administrative responsibilities who are not Cabinet or sub-Cabinet officers or heads of separate agencies. He stated that the proposal also provides that the President shall submit an annual report to Congress on the relationship of Federal salaries to those reported by the Bureau of Labor Statistics for private enterprise, recommending whatever adjustments in salary schedules, structure, and policy he finds advisable.

2. FEED GRAINS. Passed as reported S. 2533, to permit farmers in summer fallow areas to receive barley, corn, and grain sorghum price support and to participate in the corn and grain sorghum diversion program provided they reduce their corn and grain sorghum acreage to the extent necessary to bring their acreage of corn, grain sorghum, and barley down to not more than 80 percent of the 1959-60 average of those three crops. pp. 2357-8
3. WHEAT. Passed without amendment H. R. 8842, to amend the Agricultural Act of 1961 so as to permit a wheat producer to withdraw from his stored excess the amount of wheat by which he fails to make his normal production on the reduced acreage allotment, less the acres voluntarily retired below the allotment. This bill now be sent to the President. pp. 2358-9
4. RESERVOIR AREAS. Passed without amendment H. R. 4934, to authorize the adjustment by mutual agreement of rental rates under leases for commercial recreational facilities on Forest Service lands at Federal reservoir projects when in the public interest. This bill will now be sent to the President. p. 2357
5. RICE ALLOTMENTS. Passed without amendment H. R. 9013, to provide for the transfer of rice acreage history where a producer withdraws from the production of rice. This bill will now be sent to the President. p. 2357
6. SOIL CONSERVATION LAND. Passed over, at the request of Sen. Smathers, S. 875, to authorize the Secretary of Agriculture to convey to Wyoming for agricultural purposes the SCS Farson Pilot Farm in Sweetwater County, Wyo. p. 2357
7. HOUSING. By a vote of 42 to 58, rejected a motion by Sen. Randolph that the Government Operations Committee be discharged from further consideration of S. Res. 288, opposing the President's Reorganization Plan No. 1 to provide for the establishment of a Department of Urban Affairs and Housing. pp. 2309-26, 2352-4
8. FARM LABOR. Sen. Pell urged enactment of legislation to provide Federal assistance to migratory farm workers and inserted an editorial supporting enactment of such legislation. p. 2351
9. DAIRY PROGRAM. Sen. Proxmire inserted his statement regarding his recent tour of Wisc. in which he states that "President Kennedy's new dairy proposal is in serious trouble," and lists a number of objections to the program. pp. 2337-8
10. FORESTRY. Sen. Proxmire urged additional funds for forestry research, particularly to expand the physical plant at the Forest Products Laboratory in Madison, Wisc., and inserted a letter from the Governor of Wisc. to Secretary Freeman urging his support for additional funds. pp. 2336-7
11. LANDS. Received from GSA a proposed bill "to amend section 3470 of the Revised Statutes to authorize the heads of departments and independent agencies to appoint agents to bid on behalf of the United States, at sales, on execution at the suit of the United States, of lands or tenements of a debtor"; to Government Operations Committee. p. 2329
12. FOREIGN TRADE. Sen. Javits discussed "the issues involved in my alternative approach to President Kennedy's goal of trade expansion," and inserted several articles on the subject. pp. 2342-7



## CONVEYANCE OF CERTAIN REAL PROPERTY OF THE UNITED STATES

The bill (H.R. 1375) to provide for the conveyance of certain real property of the United States to the former owners thereof was considered, was ordered to a third reading, was read the third time, and passed.

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1204), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill provides for the reconveyance, without consideration, to the original donors, of 1,0027 acres<sup>1</sup> which was given to the United States for a lookout fireman station. The Forest Service has not used the property for the intended purpose, has placed no permanent improvements on it, and has no present or foreseeable need for it. The Department of Agriculture has no objection to the bill.

The report of the House Committee on Agriculture is attached.

[H. Rept. 880, 87th Cong., 1st sess.]

The Committee on Agriculture, to whom was referred the bill (H.R. 1375), to provide for the conveyance of certain real property of the United States to the former owner thereof, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

### PURPOSE

The purpose of H.R. 1375 is to return to its former owners approximately 1 acre of land which was donated to the United States in 1946 and has never been used for the purpose intended.

### EXPLANATION

In 1946 Richard V. Evans and his wife donated to the United States a tract of land of approximately 1 acre in Elsinore, Riverside County, Calif., to be used by the Forest Service for construction and maintenance of a lookout fireman station. Since that time forest fire protection in the locality has been, and is now being, provided by the State under a cooperative agreement with the Forest Service and the land has never been used for the purpose for which it was donated. Neither the State nor the Forest Service has any present or foreseeable future need for the donated tract.

### COST

Since the United States received this tract of land as a donation and has not placed thereon any permanent improvements, its return to the former owners will not result in any cost to the United States.

## RECREATION FACILITIES IN RESERVOIR AREAS

The bill (H.R. 4934) to authorize the Secretary of Agriculture to modify certain leases entered into for the provision of recreation facilities in reservoir areas

<sup>1</sup> The Department's report and records in Washington show the acreage as 1.0027. The bill describes it as "one and twenty-seven thousandths acres, more or less." The Department advises that so far as it knows its records are correct, but the only way to be sure would be to check the deed. Since the area is described in the bill as "more or less" the difference is so small, and the tract is otherwise clearly identified, the committee did not consider it necessary to verify the area or amend the bill.

was considered, was ordered to a third reading, was read the third time, and passed.

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1205), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill authorizes adjustment by mutual agreement of rental rates under leases for commercial recreational facilities on Forest Service lands at Federal reservoir projects when in the public interest. Most such leases already provide for such renegotiation, but some do not. Renegotiation may be necessary to provide for the development and maintenance of satisfactory public service facilities. During the first session of this Congress, S. 48 (Public Law 87-236) was passed providing similar renegotiation authority for the Corps of Engineers.

The report of the House Committee on Agriculture is attached.

HOUSE REPORT NO. 1104, 87TH CONGRESS, 1ST SESSION

The Committee on Agriculture, to whom was referred the bill (H.R. 4934) to authorize the Secretary of Agriculture to modify certain leases entered into for the provision of recreation facilities in reservoir areas, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendments are as follows:

Page 1, line 3, strike out "Chief of Forest Service, under the supervision of the".

Page 1, line 4, delete the comma after the word "Agriculture".

Page 1, line 5, strike out the words "before November 1, 1956," and insert "with respect to lands under the jurisdiction of the Forest Service".

Page 1, lines 7 and 8, strike out "water resource development project under the jurisdiction of the Secretary of Agriculture" and insert "Federal reservoir project".

Page 2, line 3, strike out "or extension".

### PURPOSE

The purpose of this bill is to authorize the Secretary of Agriculture, when he deems such action to be in the public interest, to renegotiate the terms of leases entered into for the construction and operation of recreational facilities in recreation areas administered by the Forest Service.

### NEED FOR THE LEGISLATION

Need for the legislation is described in detail in the letter from the Department of Agriculture which is appended hereto and made a part of this report. Briefly, the legislation is required to permit renegotiation of leases which were entered into, generally prior to 1956, and which do not contain a renegotiation clause. Most of the leases entered into since that time have contained such a provision. In the absence of this legislation, in order to renegotiate the terms of a lease not having the renegotiation clause, it would be necessary to open the whole lease up to rebidding and reissuance.

### COST

There would be no additional cost to the Federal Government as the result of this legislation.

## CONVEYANCE OF CERTAIN LANDS TO STATE OF WYOMING FOR AGRICULTURAL PURPOSES—BILL PASSED OVER

The bill (S. 875) to authorize and direct the Secretary of Agriculture to con-

vey to the State of Wyoming for agricultural purposes certain real property in Sweetwater County, Wyo., was announced as next in order.

Mr. SMATHERS. Mr. President, I ask that we pass over that bill and proceed to consider Calendar No. 1186, H.R. 9013.

The VICE PRESIDENT. Without objection, the bill will be passed over.

## TRANSFER OF RICE ACREAGE

The bill (H.R. 9013) to provide for the transfer of rice acreage history where producer withdraws from the production of rice was considered, was ordered to a third reading, was read the third time, and passed.

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1207), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

### EXPLANATION OF BILL

This bill makes express statutory provision for succession to rice acreage history in States and areas where rice acreage allotments are apportioned on the basis of producer acreage history. The Department of Agriculture has made provision in the past for such succession by regulation without clear legislative authority therefor; and the bill, with slight exceptions, follows the Department's regulations. The Department favors enactment. Rice allotments are currently based on producer history in California, Texas, Tennessee, North Carolina, Florida, and parts of Louisiana. Succession would be as follows:

(1) If the producer dies, his production history passes to his heirs or devisees continuing his farming operations.

(2) If the producer withdraws in whole or in part from rice production in favor of members of his family who succeed to his farming operations, the production history ascribed to such withdrawal may be transferred to such members.

(3) If the producer permanently withdraws from rice production, his history may be transferred to experienced rice producers acquiring his entire rice farming operation. The transfer in this case would be canceled if the transferee did not plant 90 percent of his total allotment for at least 3 of the 4 years following the transfer.

(4) Upon dissolution of a partnership, the partnership history will be divided among the partners as agreed by them; except that if the partnership was formed in an allotment year and dissolved in less than 3 crop years, the history would be divided in the same proportion as the partners had contributed to the first partnership allotment.

### COST

There would be no additional cost to the Government resulting from this legislation.

## AMENDMENT TO SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT

The Senate proceeded to consider the bill (S. 2533) to amend subsection (d) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended, which had been reported from the Committee on Agriculture and Forestry with an amendment to strike out all after the enacting clause and insert:



That section 105(c)(4) of the Agricultural Act of 1949 is amended by changing the parenthetical statement in the first sentence to read as follows: "(except in the case of a producer of malting barley as hereinafter described and except in the case of a producer of barley on a summer-fallow farm as hereinafter described)", and by changing the period at the end of such section to a colon and adding the following: "Provided further, That no producer of barley on a farm where summer fallow is the normal practice shall be required to participate in the special agricultural conservation program for 1962 for barley if he (i) does not knowingly devote an acreage on the farm to barley in excess of the average acreage devoted on the farm to barley in 1959 and 1960 plus the acreage devoted to summer fallow in 1961 which is diverted from the production of wheat under the special 1962 wheat program, and (ii) does not knowingly devote an acreage on the farm to corn, grain sorghums, and barley in excess of 80 per centum of the average acreage devoted on the farm to corn, grain sorghums, and barley in 1959 and 1960."

SEC. 2. Section 16(d)(1) of the Soil Conservation and Domestic Allotment Act is amended by changing the parenthetical statement in the second sentence to read as follows: "(other than a producer of malting barley as described in section 105(c)(4) of the Agricultural Act of 1949, or a producer of barley on a summer-fallow farm as described in such section)", and by inserting after the second sentence a new sentence reading as follows: "The excess, if any, of the acreage devoted to barley in 1962 on a summer-fallow farm as described in section 105(c)(4) of the Agricultural Act of 1949 over the average acreage devoted to barley on such farm in 1959 and 1960 shall be considered as planted to corn and grain sorghums for the purpose of determining extent of participation and payments under the special agricultural conservation program for 1962 for corn and grain sorghums."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read:

A bill to amend the requirements for participation in the 1962 feed grain program.

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1208), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The bill, with the committee amendment, would preserve the eligibility of a producer on a summer fallow farm for—

(1) 1962 crop price support on corn, grain sorghum, and barley; and

(2) participation in the 1962 corn and grain sorghum diversion program even though the farm's 1962 barley acreage exceeds in 1959-60 average barley acreage, if—

(i) such excess does not exceed the acreage summer fallowed in 1961 and diverted from the production of wheat under the 1962 wheat diversion program, and

(ii) the farm's total 1962 acreage of corn, grain sorghums, and barley does not exceed 80 percent of its 1959-60 average of those three grains.

The Agricultural Act of 1961, providing for the diversion of land from wheat in 1962, was enacted after farmers had already summer fallowed their land for 1962 wheat production. In order to keep the soil from blowing during the winter many farmers planted barley on the acreage which had been summer fallowed for wheat and which

was diverted from wheat. This bill is designed to permit such farmers, without plowing up their barley, to receive barley, corn, and grain sorghum price support and to participate in the corn and grain sorghum diversion program. In order to do so they would have to reduce their corn and grain sorghum acreage to the extent necessary to bring their acreage of corn, grain sorghum, and barley down to not more than 80 percent of the 1959-60 average acreage of those three crops.

Diversion payments could not be made under the corn and grain sorghum diversion program for an acreage in excess of the net reduction in corn, grain sorghum, and barley acreage on the farm. Any increase in barley acreage would be deducted from the farm reduction in corn and grain sorghum acreage to determine the extent of the farm's participation in the corn and grain sorghum program. For instance, assume a farm with a barley base of 70 acres, a corn and sorghum base of 100 acres, and a wheat diversion of 20 acres. If the farm planted 90 acres of barley, it would have to reduce its corn and sorghum acreage to 46 acres to qualify for barley, corn, and sorghum price support (90 barley plus 46 corn and sorghum equals 136 acres, or 80 percent of 170 acres). Although the farm reduced its corn and sorghum acreage by 54 acres, only 34 acres of this reduction (after deducting the added 20 acres of barley) would count toward participation and payments under the corn and sorghum program.

Mr. CARLSON. Mr. President, Senate 2533, which amends the Soil Conservation and Domestic Allotment Act, was introduced near the end of the 1st session of the 87th Congress.

The Department of Agriculture filed a favorable report on it at that time, but the legislative calendar was such that we did not get action on it.

The bill is drafted so as to permit farmers to plant barley on land taken out of wheat production and make barley interchangeable with other feed grains.

This proposed legislation applies particularly to areas in Kansas, eastern Colorado, Nebraska, and the northern counties of the Panhandle of Texas and the Oklahoma Panhandle, where summer fallow practices are used for the seeding of wheat.

Unless this summer fallow is covered, preferably by a growing crop, it will be threatened by severe wind erosion and the land severely damaged. Many wheat growers in this area, who were unable to use barley as a cover crop last fall, planted their entire allotment acreage to wheat.

The signup under the 1962 feed grain program is now in progress and the report from the Department of Agriculture, dated February 7, 1962, states that the Department still favors enactment of S. 2533 if congressional action on the bill can be completed before the end of the signup period.

This bill permits a farmer to plant winter crops to keep his land from blowing and then the next summer make a comparable reduction from his corn or grain sorghum acreage. There is no way whereby the total acreage when planted to feed can be increased. Any increase in barley will be exactly balanced by a like reduction in corn and grain sorghum.

Mr. President, I ask unanimous consent that the letter from the Secretary

of Agriculture, Mr. Freeman, to the Committee on Agriculture and Forestry, February 7, 1962, regarding S. 2533, may be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,  
Washington, D.C., February 7, 1962.

Hon. ALLEN J. ELLENDER,  
Chairman, Committee on Agriculture and Forestry, U.S. Senate.

DEAR SENATOR ELLENDER: This is in reply to a telephone request from Mr. Harker Stanton of your committee staff for the Department's present views on the enactment of S. 2533, a bill to amend subsection (d) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended.

Although the signup under the 1962 feed grain program is now in progress, the Department still favors the enactment of S. 2533 if amended in accordance with the draft bill submitted with our letter of September 19, 1961, and congressional action on the bill can be completed before the end of the signup period which is March 30, 1962.

In discussing the provisions of the Department's proposed bill with Mr. Stanton, we have agreed on a clarifying amendment to the bill which will make it more understandable with respect to its application in determining the overall reduction in corn, grain sorghum, and barley acres and diversion payments on summer fallow farms. The amendment to the proposed bill would be made by changing the period at the end of section 2 to a comma and adding the following: "and by inserting after the second sentence a new sentence to read as follows: 'The excess, if any, of the acreage devoted to barley in 1962 on a summer fallow farm as described in section 105(c)(4) of the Agricultural Act of 1949 over the average acreage devoted to barley on such farm in 1959 and 1960 shall be considered as planted to corn and grain sorghums for the purpose of determining the extent of participation and payments under the special agricultural conservation program for 1962 for corn and grain sorghums.'"

Attached is a revised draft of the Department's proposed bill which contains the amendment outlined above.

Sincerely yours,

ORVILLE L. FREEMAN,  
Secretary.

#### AMENDMENT TO THE AGRICULTURAL ENABLING AMENDMENTS ACT OF 1961

The bill (H.R. 8842) to amend subsection (h) of section 124 of the Agricultural Enabling Amendments Act of 1961 was considered, was ordered to a third reading, was read the third time, and passed.

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1209), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill would correct an error in the 1962 wheat program law with respect to the withdrawal of excess wheat stored from a previous crop to avoid payment of penalty. Release of excess wheat from a previous crop is permitted either where the allotment is underplanted or where the actual production is less than the normal production of the acreage allotment.

Under the 1962 wheat program wheat allotments were reduced 10 percent below what they otherwise would have been, and the 10







Public Law 87-412  
87th Congress, H. R. 9013  
March 6, 1962



An Act

To provide for the transfer of rice acreage history where producer withdraws from the production of rice.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 353 of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1353), be amended by adding at the end thereof a new subsection (f) to read as follows:

Rice acreage  
allotments.  
63 Stat. 1059.

“(f) (1) If a producer in a State in which farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm, dies, his history of rice production shall be apportioned in whole or in part among his heirs or devisees according to the extent to which they may continue, or have continued, his farming operations, if satisfactory proof of such succession of farming operations is furnished the Secretary.

“(2) If a producer in a State in which farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm withdraws in whole or in part from rice production in favor of a member or members of his family who will succeed to his farming operations that portion of his rice history acreage as may be ascribed to such withdrawal may be transferred to such family member or members, as the case may be, if satisfactory proof of such relationship and succession of farming operations by such family member or members is furnished the Secretary.

“(3) If a producer in a State in which farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm permanently withdraws from rice production, his rice history acreage may be transferred to another producer or producers who have had previous rice-producing experience, provided the following conditions are met: (i) The transferee must acquire the entire farming operation pertaining to rice, including all production and harvesting equipment, any irrigation equipment not permanently attached to the land, and any land owned by the transferor to which any of the transferred rice history acreage may be ascribed; and (ii) the transferee must actually plant at least 90 per centum of his total producer rice acreage allotment, including the allotment determined on the basis of the rice history acreage acquired from the transferor for at least three out of the next four years following the transfer. Failure by the transferee to comply with condition (ii) above shall result in cancellation of the transfer of the rice history acreage. The transferor of rice acreage history under this subsection shall not be eligible for a producer rice acreage allotment for any year subsequent to such transfer, except to the extent that such allotment may be based on rice history acquired in a year (subsequent to the transfer) for which rice acreage allotments are not in effect.

76 STAT. 20.  
76 STAT. 21.

“(4) Upon dissolution of a partnership in a State in which farm rice acreage allotments are determined on the basis of past production of rice by the producer on the farm, the partnership's history of rice production shall be divided among the partners in such proportion as agreed upon in writing by the partners: *Provided*, That if a partnership was formed in a year in which allotments were in effect and is dissolved in less than three consecutive crop years after the partnership became effective, the rice acreage allotment established for the partner-

ship and rice history acreages credited to the partnership for each of the years during its existence shall be divided among the partners in the same proportion that each partner contributed to the allotment established for the partnership at the time such partnership was formed. The rice history acreage credited to each of the partners for the years prior to the time the partnership was formed shall revert to the person to whom it was originally credited."

Approved March 6, 1962.